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COUNSEL/PARTIES OF RECORD	
SEP - 4 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

PLAINTIFF'S NAME,

Joshua J. Godhart

vs.

DEFENDANT'S NAME,

Tesla, Inc. et al.  
/d/b/a/ Tesla Motors  
/d/b/a/ Tesla Energy

**2:19-cv-01541-JAD-VCF**

COMPLAINT

STATEMENT OF JURISDICTION

This District Court has jurisdiction over this matter pursuant to Title VII of the Civil Rights Act of 1964 as Amended and Title I of the Americans with Disabilities Act of 1990, 42 U.S.C. 2000e et seq., 42 U.S.C. 12112 et seq.; and 42 U.S.C. 1981a. The Plaintiff and the Defendant in this matter live in or otherwise conduct business in the State of Nevada, Clark County. The Plaintiff has exhausted all the Administrative requirements at NERC and the EEOC before bringing this matter before this Honorable Court.

COMPLAINT - 1

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STATEMENT OF CLAIM IN BRIEF

The Plaintiff believes that the Defendant in this matter has violated Federal law Title VII of the Civil Rights Act and Title I of the Americans with Disabilities Act 42 U.S.C. 2000e et seq., 42 U.S.C. 12112 et seq., and Nevada Administrative Code N.R.S. 613.330 et seq. against public policy. The Plaintiff prevailing in this matter is entitled to relief pursuant to 42 U.S.C. 1981a et seq. The demand for relief is drafted in the Plaintiffs' complaint.

## INTRODUCTION

The Plaintiff comes before this Honorable Court on the following legal basis for cause:

The Plaintiff worked as an Inside Energy Specialist for the Defendant, and while employed the Plaintiff was injured by middle management, executive management, and human resources. The injuries that the Plaintiff experienced while employed with the Defendant are as follows; unlawful workplace harassment, disability discrimination, retaliation, and wrongful termination. It is the Plaintiffs' express belief that these injuries occurred while employed with the Defendant against 'public policy' as clearly outlined in the United States Code, Nevada Administrative Code, and the Defendant's own Employee Handbook. It is the Plaintiffs' further belief that the aforementioned injuries would not have occurred 'but for' the Defendant unlawfully discriminating against the Plaintiff on the grounds of unlawful harassment, disability, retaliation, and wrongful

1 termination; all of which the Plaintiff believes to be adverse and unlawful employment  
2 actions on the part of the Defendant.

3  
4 In Summary, the Plaintiff engaged in a Federally protected activity while  
5 employed, the Plaintiff suffered disparate treatment for engaging in the Federally  
6 protected activity; and the Plaintiffs' engagement in the Federally protected activity also  
7 caused the adverse employment action against 'public policy' and would not have  
8 happened 'but for' the Defendant unlawfully discriminating against the Plaintiff on the  
9 grounds of unlawful harassment, disability, retaliation, and wrongful termination.  
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#### 11 FACTUAL BACKGROUND

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13 The Plaintiff will occasionally reference the Defendant in these matters as "the  
14 Company" and the Human Resources Dept. for the Defendant as "People Empowerment  
15 or PE":  
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18 On February 23, 2017 Wil Fortenberry became the Plaintiffs' acting manager when the  
19 Plaintiffs' manager Ari Antonelli went out of the workplace on maternity leave. This fact  
20 is memorialized in an email that the Plaintiff has provided to this Honorable Court for  
21 review.  
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23  
24 Between February 22-28, 2017 the Plaintiff began to be treated differently than other  
25 similarly situated employees of the Company by Wil Fortenberry with regard to job  
26 cancellations. Some employees were allowed to clear their pipelines at month end with  
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1 no adverse consequence starting March 2017. The Plaintiff was not offered the same  
2 opportunity as other similarly situated employees. The Plaintiff was tasked with booking  
3 8 jobs between February 22 and February 28, 2017 to avoid corrective action on March 1,  
4 2017. These facts are memorialized in an email that the Plaintiff has provided to this  
5 Honorable Court for review.  
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9 On February 28, 2017 Cameron Mahr a Co-worker of the Plaintiff told the Plaintiff that  
10 Wil Fortenberry “had it out” for the Plaintiff, and that Wil Fortenberry was going to make  
11 the Plaintiffs’ pipeline negative going into the month of March 2017 and cause an  
12 adverse corrective action occurrence i.e. Performance Improvement Plan (PIP) in the  
13 Plaintiffs’ HR or People Empowerment file.  
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17 On March 1, 2017 the first day of arrival to a new Team, the Plaintiff was approached by  
18 the Plaintiffs’ new Manager Kevin Dyess to make a choice to quit employment or  
19 proceed employment on a Performance Improvement Plan (PIP). This fact is  
20 memorialized in an email that the Plaintiff has provided to this Honorable Court for  
21 review.  
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25 On March 1, 2017 the Plaintiff decline to quit employment and decided to proceed on a  
26 Performance Improvement Plan (PIP).  
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1 On March 4, 2017 the Plaintiff was informed by Wil Fortenberry's Manager Emily  
2 Bowden that the Director of Global Sales Toby Corey reversed the Plaintiffs'  
3 Performance Improvement Plan (PIP); and the PIP's of others in the Sales Unit because it  
4 was being grossly misinterpreted and abused by Sales Director Wil Fortenberry. This fact  
5 is memorialized in an email that the Plaintiff has provided to this Honorable Court for  
6 review.  
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10 On April 28, 2017 the Plaintiff was unlawfully harassed by Wil Fortenberry about job  
11 cancellations that the Plaintiff was fully empowered to manage without Wil Fortenberry  
12 per the Memo about the new job cancellation policy added to the Company Intranet on  
13 March 16, 2017 by Maggie Kempner. Also, on April 28, 2017 the Plaintiff makes a  
14 formal complaint of unlawful harassment to Wil Fortenberry directly as a protected  
15 activity in compliance with 'public policy' and compliance with the implied Employment  
16 Contract as outlined in the Defendant's Employee Handbook. Also, on April 28, 2017  
17 Wil Fortenberry agreed that if the Plaintiff believed unlawful harassment was part of the  
18 Plaintiffs' workplace experience; then the matter should be taken to the Human Resource  
19 Dept. or People Empowerment. The Plaintiff agreed and communicated to Wil  
20 Fortenberry that the proper channels to escalate the matter were known to the Plaintiff.  
21 These facts are memorialized in an email that the Plaintiff has provided to this Honorable  
22 Court for review.  
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1 On April 28, 2017 Wil Fortenberry sent an email outlining the Plaintiffs' direct complaint  
2 to him about the Plaintiffs' concerns of unlawful harassment and discrimination in the  
3 workplace. The email was sent to Kevin Dyess the Plaintiffs' manager, Emily Bowden  
4 Wil Fortenberry's manager; and Patti Carney-Stjernelund a representative for the Human  
5 Resource Dept. or People Empowerment. These facts are memorialized in an email that  
6 the Plaintiff has provided to this Honorable Court for review.  
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9  
10 On May 1, 2017 the Plaintiff again addressed Wil Fortenberry about his propensity for  
11 adverse management of the Plaintiffs' pipeline. This discourse between Wil Fortenberry  
12 and the Plaintiff was due to Wil Fortenberry's discontent with the Plaintiff cancelling his  
13 jobs without the consent or approval of Wil Fortenberry. The Plaintiff cancelled the jobs  
14 per the Memo about the new job cancellation policy added to the Company Intranet on  
15 March 16, 2017 by Maggie Kempner. The Plaintiff again notified Wil Fortenberry that  
16 the adverse approach to managing his pipeline was unwelcomed. These facts are  
17 memorialized in an email that the Plaintiff has provided to this Honorable Court for  
18 review.  
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23 On May 2, 2017 Wil Fortenberry sends an email to the Plaintiff reminding him of the  
24 upcoming meeting with the Human Resource Dept. or People Empowerment  
25 representative Patti Carney-Stjernelund. This fact is memorialized in an email that the  
26 Plaintiff has provided to this Honorable Court for review.  
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1 On May 3, 2017 Wil Fortenberry sends an email to the Plaintiff informing him that the  
2 Human Resource Dept. or People Empowerment representative Patti Carney-Stjernelund  
3 would not be available to meet about the Plaintiffs concerns until May 5, 2017. This fact  
4 is memorialized in an email that the Plaintiff has provided to this Honorable Court for  
5 review.  
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9 On May 4, 2017 the Plaintiff makes the Human Resource Dept. or People Empowerment.  
10 and Management aware of the Plaintiff's Disability and the need for accommodation to  
11 use an Auxiliary Device to assist with the Plaintiffs' Auditory Processing Disorder (APD)  
12 while participating in the meeting to discuss the Plaintiff's workplace complaint of  
13 unlawful harassment; both are protected by Federal Law. These facts are memorialized  
14 in an email that the Plaintiff has provided to this Honorable Court for review.  
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18 Between May 5-9, 2017 the Plaintiff took personal time off work to process all that was  
19 happening in the workplace as the Plaintiff was afraid of the possibility of an impending  
20 retaliation from the Company management.  
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23 On May 9, 2017 the Plaintiff was contacted by the Human Resource Dept. or People  
24 Empowerment representative Patti Carney-Stjernelund informing the Plaintiff that the  
25 Plaintiff need to certify his disability and request for accommodation. Also, on May 9,  
26 2017 the Plaintiff reached out to his treating Physician Bea Braun to assist with providing  
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1 the Plaintiff with a Disability Certification to satisfy the Company's request. These facts  
2 are memorialized in an email that the Plaintiff has provided to this Honorable Court for  
3 review. Also, on May 9, 2017 the Plaintiff reached out to the Human Resource Dept. or  
4 People Empowerment representative Patti Carney-Stjernelund to communicate the  
5 following; "Wil Fortenberry has escalated a matter that I clearly communicated that I  
6 wasn't comfortable escalating *with* him. I told Wil Fortenberry that I did not feel  
7 comfortable discussing the matter *with* him directly, and if I was required to have the  
8 discussion *with* him; I would feel more comfortable having it in the presence of PE.  
9 Lastly, I told Wil Fortenberry directly that if I needed to contact PE about the matter, I  
10 knew the proper channels to begin that dialogue. I am beginning to feel like this is  
11 borderline harassment to have a conversation in the presence of Wil Fortenberry that I am  
12 not willing to have in front of him for fear of retaliation in the workplace. I think I need  
13 to talk with PE alone about my concerns. Please make clear to me the scope of this  
14 pending meeting so I can prepare for the discussion. Please give me guidance." These  
15 facts are memorialized in an email that the Plaintiff has provided to this Honorable Court  
16 for review.

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23 On May 10, 2017 the Plaintiff was contacted by his treating Physician Bea Braun who  
24 provided the Disability Certificate. Also, on May 10, 2017 the Plaintiff contacted the  
25 Human Resource Dept. or People Empowerment representative Patti Carney-Stjernelund  
26 to provide the requested Disability Certificate document per request so the Plaintiff could  
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1 move forward with his original workplace concerns of unlawful harassment and  
2 discrimination. These facts are memorialized in an email that the Plaintiff has provided  
3 to this Honorable Court for review.  
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6 On May 11, 2017 at 6:23PM the Human Resource Dept. or People Empowerment  
7 representative Patti Carney-Stjernelund reached out to the Plaintiff after the Plaintiffs'  
8 scheduled shift to inform the Plaintiff that his Disability Certificate was approved by  
9 communicating non-specific information that was unrelated to why the Plaintiff  
10 originally requested accommodation. So also, on May 11, 2017 at 9:06PM the Plaintiff  
11 reached out to the Human Resource Dept. or People Empowerment representative Patti  
12 Carney-Stjernelund after the Plaintiffs' scheduled shift to ask the specific scope of the  
13 meeting that Wil Fortenberry was intent on scheduling. The Plaintiff referred the Human  
14 Resource Dept. or People Empowerment representative Patti Carney-Stjernelund back to  
15 his previous May 9, 2017 email that expressly communicated his desire to speak with PE  
16 alone for fear of retaliation by Wil Fortenberry. The Human Resource Dept. or People  
17 Empowerment representative Patti Carney-Stjernelund neither replied to the Plaintiffs'  
18 workplace concerns of harassment and discrimination in the workplace, nor the Plaintiffs'  
19 fear of retaliation. The Defendant has clearly violated United States Code, Nevada  
20 Administrative Code, and breached 'public policy' in these matters.  
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1 On May 12, 2017 the Plaintiff was terminated from his employment which precluded the  
2 Plaintiff from pursuing any workplace remedies with regard to the Plaintiffs' workplace  
3 disparate treatment. The Defendant's proffered reason for termination was pretext and  
4 retaliatory for complaining of unlawful harassment and discrimination in the workplace,  
5 voluntarily disclosing a disability that required workplace accommodation.  
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7 In closing, the Plaintiff engaged in a Federally protected activity while employed  
8 with the Defendant, the Plaintiff suffered disparate treatment for engaging in the  
9 Federally protected activity; and the Plaintiffs' engagement in the Federally protected  
10 activity also caused the adverse employment action against 'public policy' and would not  
11 have happened 'but for' the Defendant unlawfully discriminating against the Plaintiff on  
12 the grounds of unlawful harassment, disability, and retaliation leading to wrongful  
13 termination.  
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18 The Plaintiff pleads that this Honorable Court will consider the egregious behavior of the  
19 Defendant's middle management, executive management, and the Human Resource Dept.  
20 or People Empowerment representative Patti Carney-Stjernelund. It is the Plaintiffs' plea  
21 that this Honorable Court would by the preponderance of the evidence provided to the  
22 Court to conclude that no similarly situated employee of the Defendant should be treated  
23 with such blatant disregard for 'public policy'; and that the Defendant's behavior has  
24 risen to the level of unlawful harassment, disability discrimination, retaliation, and  
25 wrongful termination. The Plaintiff has provided a fully documented scope of  
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1 preliminary evidence for this Honorable Court to review. It is the presupposition of the  
2 Plaintiff that the Defendant in this matter will follow the McDonnell Douglas framework  
3 in this matter to offer this Honorable Court a pretext reason for their unlawful  
4 discriminatory employment practices to avoid liability and further violate 'public policy'.  
5 The Plaintiff anticipates this behavior, realizes that it will do nothing more than  
6 strengthen the Plaintiffs' cause for action, and aggravate the strength of the Plaintiffs'  
7 punitive damage claim for relief. The Plaintiff demands a trial by jury.  
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#### 10 11 DEMAND FOR RELIEF

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13 The Plaintiff presents to this Honorable Court a demand for relief consistent with the  
14 foregoing complaint for damages pursuant to 42 U.S.C. 1981a et seq. and the upcoming  
15 effective remedy established by Senate Bill No. 177 being signed into law effective  
16 October 1, 2019  
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19 The Plaintiff demands that the Defendant recompense the Plaintiff for two years of back  
20 pay up to the date of award in these matters totaling \$49,920.00. The Plaintiff also  
21 demands the \$4,000.00 in lost commissions that resulted upon the date of the Plaintiffs'  
22 wrongful termination including the \$1,000.00 bonus for the Tour De Fremont  
23 participation and winnings. The Plaintiff also demands compensatory damages in the  
24 amount of \$209,000.00 for future pecuniary losses, emotional pain, suffering,  
25 inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses.  
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1 The Plaintiff also demands relief for punitive damages associated with the Defendant's  
2 egregious behavior against 'public policy' in violation of the United States Code and  
3 Nevada Administrative Code; including but not limited the Nevada State Constitution.  
4 The Plaintiff's total demand for relief is \$563,920.00. Additionally, the Plaintiff  
5 demands recovery of legal costs. The Plaintiff further asks this Honorable Court for  
6 injunctive relief by ordering the Defendant to implement Title VII and ADA sensitivity  
7 training for their employees to ensure that these types of injuries do not occur to fellow  
8 employees going forward. It should be duly noted that the Defendant in these matters has  
9 been presented with the opportunity to settle these matters for the amount of \$150,00.00  
10 on July 12, 2019. The Defendant failed or refused to respond to the Plaintiffs' demand  
11 by the proffered deadline of July 19, 2019 5:00PM PST.  
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#### 15 PRESERVATION OF DOCUMENTS

16 Please note that this complaint constitutes a notice of intent to sue. Given the tenor  
17 and nature of the Plaintiffs' allegations, the Plaintiff asks that the Defendant take the  
18 necessary steps to ensure that the Company preserves all potentially relevant material  
19 concerning the Plaintiffs' employment. The type of material to be preserved includes all  
20 paper documents and electronically stored information including, but not limited to, e-  
21 mail, voicemail, instant messages and work procession files that are in the Company's  
22 possession, custody or control, whether stored on computers or other storage media (e.g.,  
23 hard disks, floppy disks, Dropbox Files, FTP Files, Cloud Storage files, backup tapes, Zip  
24 cartridges, CDs, DVDs, etc.).  
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11 Dated this 4th day of September, 2019.

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14 Attorney Name  
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# EXHIBIT A

## PLAINTIFF EEOC RIGHT TO SUE LETTER

EEOC Form 161-B (11/16)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Joshua Godhart  
848 N Rainbow Blvd #4977  
Las Vegas, NV 89107

From: Los Angeles District Office  
255 E. Temple St. 4th Floor  
Los Angeles, CA 90012

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No

34B-2017-00876

Karrie L. Maeda,  
State & Local Coordinator

(213) 894-1100

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

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More than 180 days have passed since the filing of this charge.

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Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

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The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

☐

The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

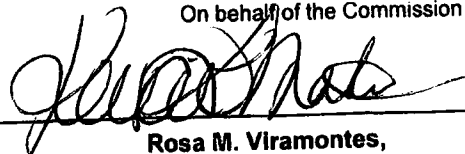
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The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Rosa M. Viramontes,  
District Director

June 6, 2019

(Date Mailed)

Enclosures(s)

cc:

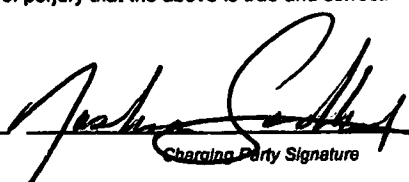
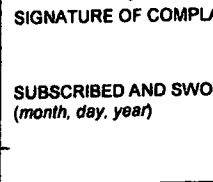
TESLA ENERGY OPERATIONS  
6800 Dunbarton St.  
Fremont, CA 94555

EEOC Form 6 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC <b>34B-2017-00876</b>	
<b>Nevada Equal Rights Commission</b> and EEOC State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.) <b>Mr. Joshua Godhart</b>		Home Phone (Incl. Area Code) <b>(818) 925-6016</b>	Date of Birth <b>1971</b>
Street Address City, State and ZIP Code <b>848 N Rainbow Blvd #4977, Las Vegas, NV 89107</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>SOLARCITY CORPORATION D/B/A TESLA ENERGY</b>		No. Employees, Members <b>500 or More</b>	Phone No. (Include Area Code) <b>(702) 419-5410</b>
Street Address City, State and ZIP Code <b>6671 S Las Vegas Blvd Suite 300, Las Vegas, NV 89119</b>			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest <b>04-28-2017 05-12-2017</b> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). <p>The Respondent discriminated against me on the basis of disability and/or retaliation. From May 4, 2017 to May 12, 2017, I was denied a reasonable accommodation. On May 12, 2017, I was discharged. I filed my complaint with the Nevada Equal Rights Commission on May 16, 2017.</p> <p>I was employed by the Respondent from August 8, 2016 to May 12, 2017 as an Inside Energy Specialist.</p> <p>On April 28, 2017, I verbally lodged a complaint with Wil Fortenberry, Director, Inside Sales, because I felt that other team members were being given preferential treatment. He responded via email that a meeting would be coordinated between Human Resources, him and me. A few days later, on May 4, 2017, I requested an accommodation prior to the meeting. Human Resources Manager Patti Carney-Stjernelund responded via email on May 9, 2017, requesting that I provide a Disability Certificate in order to determine whether I had a qualifying disability and whether I was entitled to a reasonable accommodation. I was given a deadline of</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT <b>received NERC</b> <b>AUG 01 2017</b> SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) <b>Las Vegas, NV</b>	
Aug 01, 2017 Date		Charging Party Signature	



EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To:      Agency(ies) Charge No(s): <input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC <b>34B-2017-00876</b>	
<b>Nevada Equal Rights Commission</b> and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr Ms., Mrs.) <b>Mr. Joshua Godhart</b>		Home Phone (Incl. Area Code)      Date of Birth <b>(818) 925-6016</b> <b>1971</b>	
Street Address      City, State and ZIP Code <b>848 N Rainbow Blvd #4977, Las Vegas, NV 89107</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>SOLARCITY CORPORATION D/B/A TESLA ENERGY</b>		No. Employees, Members      Phone No. (Include Area Code) <b>500 or More</b> <b>(702) 419-5410</b>	
Street Address      City, State and ZIP Code <b>6671 S Las Vegas Blvd Suite 300, Las Vegas, NV 89119</b>			
Name		No. Employees, Members      Phone No. (Include Area Code)	
Street Address      City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest      Latest <b>04-28-2017</b> <b>05-12-2017</b> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>The Respondent discriminated against me on the basis of disability and/or retaliation. From May 4, 2017 to May 12, 2017, I was denied a reasonable accommodation. On May 12, 2017, I was discharged. I filed my complaint with the Nevada Equal Rights Commission on May 16, 2017.</p> <p>I was employed by the Respondent from August 8, 2016 to May 12, 2017 as an Inside Energy Specialist.</p> <p>On April 28, 2017, I verbally lodged a complaint with Wil Fortenberry, Director, Inside Sales, because I felt that other team members were being given preferential treatment. He responded via email that a meeting would be coordinated between Human Resources, him and me. A few days later, on May 4, 2017, I requested an accommodation prior to the meeting. Human Resources Manager Patti Carney-Stjernelund responded via email on May 9, 2017, requesting that I provide a Disability Certificate in order to determine whether I had a qualifying disability and whether I was entitled to a reasonable accommodation. I was given a deadline of</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT: <b>Received NERC</b> <b>AUG 01 2017</b> SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) <b>Las Vegas, NV</b>	
Date: <b>Aug 01, 2017</b> Charging Party Signature: 		Date: <b>Aug 01, 2017</b> Notary Signature: 	

EEOC Form 5 (11/09)

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☒ FEPA☒ EEOC**34B-2017-00876****Nevada Equal Rights Commission**

and EEOC

State or local Agency, if any

May 16, 2017 by which to provide the certificate or I would not be deemed to have a disability or my condition would not qualify as a disability and I would not be accommodated. I immediately responded to her and stated that I would try to meet the deadline. I also indicated to her that I did not feel comfortable attending a meeting with Fortenberry for fear of retaliation and requested a meeting alone with Human Resources. Despite the deadline, I managed to provide the required medical certificate to Carney on May 10, 2017. There was no further communication between Human Resources and me. Carney never responded to my request and a meeting was never scheduled. In fact, two days later, on May 12, 2017, I was discharged for alleged violation of policy; however, I was never apprised of the violation.

It is my contention that my discharge is pretext for disability discrimination or in retaliation for requesting a reasonable accommodation and/or for lodging a complaint of disparate treatment and harassment.

I believe the Respondent's actions violated The Americans with Disabilities Act Amendments Act (ADAAA), and Nevada State Law.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Aug 01, 2017

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

Received NERC  
AUG 01 2017  
Las Vegas, NV

REMEDY REQUEST and SETTLEMENT DEMAND

Joshua Godhart  
Charging Party

SolarCity d/b/a Tesla Energy  
Respondent

NOTICE TO CHARGING PARTY AND RESPONDENT: This Remedy Request is intended to initiate the settlement process. The amounts requested are as of the date the Remedy Request is signed. Some of the amounts may increase with the passage of time. Please review carefully. The Charging Party may or may not be entitled to any or all of the remedies requested. The Commission reserves the right to review all remedies to insure the claim is fair and equitable and meets all State and Federal standards.

I do hereby request as follows:

☒ **BACKPAY-**  
Rate of pay 12.00 for period of 18mos for a total of: \$34,560 to date.  
Lost commissions/tips: \$4,000.00  
Lost vacation pay: 0  
Lost bonuses: \$1,000.00  
Lost retirement contributions (401k): 0  
Less \$4,433.00 for money earned, including unemployment insurance  
  
Total Back Pay requested: \$30,127.00

☒ **COMPENSATORY DAMAGES:**  
Moving Expenses: 0  
Storage Expenses: 0  
Medical Costs: 0  
Costs of seeking other employment: \$2,000.00  
  
Total Compensatory Damages: \$2,000.00

☐ **BEING REHIRED/REINSTATED INTO A SIMILAR POSITION AS BEFORE.**

☐ **BEING PROMOTED TO:** \_\_\_\_\_

☐ **BEING HIRED AS:** \_\_\_\_\_

☒ **ALL ADVERSE INFORMATION REMOVED FROM MY PERSONNEL FILE.**

☒ **OTHER:** (Including any other monetary damages. Please specify the remedies you are requesting.)

**PUNITIVE DAMAGES INCLUDING BUT NOT LIMITED TO EPLI DECLARATION LIMITS**  
**\$500,000.00**  
TOTAL MONETARY DAMAGES: \$532,127.00

IF SETTLEMENT IS NOT REACHED BY THE PARTIES, I reserve the right to seek any and all remedies permitted under law.

Executed on: 8/2/17 by: Joshua Godhart  
(date) (signature)

Received NERC

AUG 04 2017

Las Vegas NV

# EXHIBIT B

## PLAINTIFF AND DEFENDANT EMAIL CORRESPONDENCE PROVIDED AS EVIDENCE

**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Wednesday, February 22, 2017 4:11 PM  
**To:** Wil Fortenberry  
**Subject:** RE: Your JIDs - Joshua Godhart

Wil,

Based upon our discussion today, if I end the month at negative Quota; do I go directly on a PIP  
 I got this information in discussion with another Rep. Is this true? If so, why was I not informed of this? ? Please advise.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6696 | m: 818.925.8016  
 CA CSLB #28104 MA HIC 168572/EL-1136MR [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry  
**Sent:** Wednesday, February 22, 2017 10:40 AM  
**To:** Joshua Godhart  
**Subject:** RE: Your JIDs - Joshua Godhart

Josh,

Nothing goes in your "HR file" in regards to cancelled jobs. However, you currently have 1 Net Booking for the month of February, so if I cancel the jobs you requested that will put you at -3 Net Bookings, meaning you'd need to book at least 8 more jobs between now and the end of the month to achieve Quota of 5 Net Bookings and avoid Performance Management in March. If you advance to some form of Performance Management then that would reflect on your Workday profile.

We recognize that we offer customers the right to cancel and sometimes there are things that are out of your control that result in a cancelled jobs, so the company expectation is that you will maintain at least a 65% install pull through rate in Q1 – let's look at this together later today in more detail to ensure I'm answering all your questions.

In the meantime, please consider what I outlined regarding the cancels you requested and have the links ready to forward so I don't have to go through each job to identify which customers you referenced in your e-mail.

Thanks for your help.

Team			Status	Current Month Results			
Sales Rep	Manager	Director	Attainment	Current Status	Quota	Net Bookings	Gross Bookings
Joshua Godhart	At Courtland	Wil Fortenberry	Over Targeted	-	6	1	2

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
 CA CSLB #89104 MA HIC 168572/EL-1136MR [Click here](#) to view our complete list of license numbers by state.

**From:** Joshua Godhart  
**Sent:** Wednesday, February 22, 2017 10:15 AM  
**To:** Wil Fortenberry  
**Subject:** RE: Your JIJs - Joshua Godhart

Wil,

My notations in SolarWorks are clear with regard to why each person is desiring to cancel. I would like to save the following;

1. Bryan Peden he is a referral.
2. Dr. Patricia Burke is reconsidering the Lease.
3. Sidney Hertz is out of the Country till next month.

Everyone else has clearly communicated why they do not want to go Solar.

1. Mark Simms has gone back with Vivint after I got him from Vivint.
2. Don Chase has insufficient savings on his Lease; and no longer wants to go Solar.
3. Brent Hayes is an older gentleman who does not want to go Solar via the Solar Loan due to his inability to take advantage of the ITC. There is no other option for him in UT.
4. Paul Webster could not get Credit Approved for the Solar option of his choice; and did not want a PPA. I tried.

Wil, it is clear by my notations in SolarWorks that I run my business clean and honest; and I can't stop people from exercising their contractual Rights to cancel.

Will all of these Customer cancels directly affect my HR file? Please advise.

Thank you,

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 CA CSLB 898104, MA HIC 169572/EL-1136MR [Click here to view our complete list of license numbers by state.](#)

**From:** Wil Fortenberry  
**Sent:** Wednesday, February 22, 2017 8:20 AM  
**To:** Joshua Godhart  
**Subject:** Your JIJs

Hey Josh,

Here's a list of your current JIJs. Please let me know the 3 jobs you'd like to save/cancel today. The expectation is that you and one other person attempts to save the job prior to submitting for cancel and it's logged in SolarWorks, so please work with another team member or CSAT if you have a job that requires a 2<sup>nd</sup> voice.

Keep in mind if there is a contract signed after 02/08 that's JIJ we'll need to cancel it ASAP to ensure the customer isn't charged a cancellation fee. I won't have time to dig through each JIJ for everyone on the team, so I'll be relying on you to complete the due diligence on what's On Hold for Solar Roof and/or sold after 02/08 that's now JIJ.

SolarWorks Job Link	Days in JIJ
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=716807">https://soleo.solarcity.com/Chart.aspx?InstallationID=716807</a>	21
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=743019">https://soleo.solarcity.com/Chart.aspx?InstallationID=743019</a>	22
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=752267">https://soleo.solarcity.com/Chart.aspx?InstallationID=752267</a>	5
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=756309">https://soleo.solarcity.com/Chart.aspx?InstallationID=756309</a>	1
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=755222">https://soleo.solarcity.com/Chart.aspx?InstallationID=755222</a>	38

<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=756099">https://soleo.solarcity.com/Chart.aspx?InstallationID=756099</a>	51
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=762078">https://soleo.solarcity.com/Chart.aspx?InstallationID=762078</a>	3

Thanks in advance for your help,

**Wil Fortenberry**  
Director, Inside Sales | SolarCity

---

t: 209.893.9309  
m: 916.769.2535

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Refer a friend and get \$200.

CA CSLB #88104; MA HIC #68572/EL-1138MR [Click here](#) to view our complete list of license numbers by state.

**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Wednesday, February 22, 2017 10:50 AM  
**To:** Wil Fortenberry  
**Subject:** RE: Your JIs - Joshua Godhart

Wil,

Here you go. Thanks for the clarity.

Brent Hayes: <https://soleo.solarcity.com/Chart.aspx?InstallationID=743019>  
 Don Chase: <https://soleo.solarcity.com/Chart.aspx?InstallationID=755222>  
 Mark Simms: <https://soleo.solarcity.com/Chart.aspx?InstallationID=762078>

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6898 | m: 818.925.6016  
 CA CSLB 888104, MA HIC 188572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry  
**Sent:** Wednesday, February 22, 2017 10:40 AM  
**To:** Joshua Godhart  
**Subject:** RE: Your JIs - Joshua Godhart

Josh,

Nothing goes in your "HR file" in regards to cancelled jobs. However, you currently have 1 Net Booking for the month of February, so if I cancel the jobs you requested that will put you at ~3 Net Bookings, meaning you'd need to book at least 8 more jobs between now and the end of the month to achieve Quota of 5 Net Bookings and avoid Performance Management in March. If you advance to some form of Performance Management then that would reflect on your Workday profile.

We recognize that we offer customers the right to cancel and sometimes there are things that are out of your control that result in a cancelled jobs, so the company expectation is that you will maintain at least a 65% install pull through rate in Q1 – let's look at this together later today in more detail to ensure I'm answering all your questions.

In the meantime, please consider what I outlined regarding the cancels you requested and have the links ready to forward so I don't have to go through each job to identify which customers you referenced in your e-mail.

Thanks for your help.

Team			Status	Current Month Results		
Sales Rep	Manager	Director	Attainment	Current Status	Quota	Net Bookings
Joshua Godhart	Ar. Crawford	Wil Fortenberry	Over Threshold	5	1	2

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
 CA CSLB 888104, MA HIC 188572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state



**From:** Joshua Godhart  
**Sent:** Wednesday, February 22, 2017 10:15 AM  
**To:** Wil Fortenberry  
**Subject:** RE: Your JIJs - Joshua Godhart

Wil,

My notations in SolarWorks are clear with regard to why each person is desiring to cancel. I would like to save the following;

1. Bryan Peden he is a referral.
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4. Paul Webster could not get Credit Approved for the Solar option of his choice; and did not want a PPA. I tried.

Wil, it is clear by my notations in SolarWorks that I run my business clean and honest; and I can't stop people from exercising their contractual Rights to cancel.

Will all of these Customer cancels directly affect my HR file? Please advise.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 CA CSLB 888104, MA-HIC 188572/EL-1136NR. [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry  
**Sent:** Wednesday, February 22, 2017 8:20 AM  
**To:** Joshua Godhart  
**Subject:** Your JIJs

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<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=752267">https://soleo.solarcity.com/Chart.aspx?InstallationID=752267</a>	5
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=756309">https://soleo.solarcity.com/Chart.aspx?InstallationID=756309</a>	1

<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=755222">https://soleo.solarcity.com/Chart.aspx?InstallationID=755222</a>	38
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=756099">https://soleo.solarcity.com/Chart.aspx?InstallationID=756099</a>	51
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=762078">https://soleo.solarcity.com/Chart.aspx?InstallationID=762078</a>	3

Thanks in advance for your help,

**Will Fortenberry**  
Director, Inside Sales | SolarCity

t: 209.893.9309  
m: 916.769.2535

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**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Wednesday, February 22, 2017 10:15 AM  
**To:** Wil Fortenberry  
**Subject:** RE: Your JIJs - Joshua Godhart

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Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 CA: C&L 898104, MA: HIC 16B5721EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry  
**Sent:** Wednesday, February 22, 2017 8:20 AM  
**To:** Joshua Godhart  
**Subject:** Your JIJs

Hey Josh,

Here's a list of your current JIJs. Please let me know the 3 jobs you'd like to save/cancel today. The expectation is that you and one other person attempts to save the job prior to submitting for cancel and it's logged in SolarWorks, so please work with another team member or CSAT if you have a job that requires a 2<sup>nd</sup> voice.

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SolarWorks Job Link  
<https://soleo.solarcity.com/Chart.aspx?InstallationID=716807>

Days in JIJ.  
 21.

<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=743019">https://soleo.solarcity.com/Chart.aspx?InstallationID=743019</a>	22
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=752267">https://soleo.solarcity.com/Chart.aspx?InstallationID=752267</a>	5
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Thanks in advance for your help,

**Wil Fortenberry**  
Director, Inside Sales | SolarCity

t: 209.893.9309  
m: 916.769.2535

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**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Wednesday, February 22, 2017 10:03 AM  
**To:** Wil Fortenberry  
**Subject:** RE: Your JJs

Got it.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 CA CSLB 888104, MA HIC 108572/EL-1138MR [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry  
**Sent:** Wednesday, February 22, 2017 8:20 AM  
**To:** Joshua Godhart  
**Subject:** Your JJs

Hey Josh,

Here's a list of your current JJs. Please let me know the 3 jobs you'd like to save/cancel today. The expectation is that you and one other person attempts to save the job prior to submitting for cancel and it's logged in SolarWorks, so please work with another team member or CSAT if you have a job that requires a 2<sup>nd</sup> voice.

Keep in mind if there is a contract signed after 02/08 that's JJ we'll need to cancel it ASAP to ensure the customer isn't charged a cancellation fee. I won't have time to dig through each JJ for everyone on the team, so I'll be relying on you to complete the due diligence on what's On Hold for Solar Roof and/or sold after 02/08 that's now JJ.

SolarWorks Job Link	Days in JJ
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=716807">https://soleo.solarcity.com/Chart.aspx?InstallationID=716807</a>	21
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=743019">https://soleo.solarcity.com/Chart.aspx?InstallationID=743019</a>	22
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=752267">https://soleo.solarcity.com/Chart.aspx?InstallationID=752267</a>	5
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<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=755222">https://soleo.solarcity.com/Chart.aspx?InstallationID=755222</a>	38
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=756099">https://soleo.solarcity.com/Chart.aspx?InstallationID=756099</a>	51
<a href="https://soleo.solarcity.com/Chart.aspx?InstallationID=762078">https://soleo.solarcity.com/Chart.aspx?InstallationID=762078</a>	3

Thanks in advance for your help,

**Wil Fortenberry**  
 Director, Inside Sales | SolarCity

t: 209.893.9309  
 m: 916.789.2535

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 Refer a friend and get \$200.

CA CSLB 888104, MA HIC 108572/EL-1138MR [Click here](#) to view our complete list of license numbers by state.

**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Thursday, February 23, 2017 7:47 AM  
**To:** Wil Fortenberry  
**Subject:** RE: Close Rate + Backend Issues

Hi Wil,

If you remember from our communication yesterday, Paul Webster was on my list for cancels. I don't think I will ever get his UB. So, will he continue to drag my close rate down after he already and I already clearly communicated that he is not moving forward? Please advise.

Thanks.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 CA CSLB 88A104, MA HIC 168572/EL-1126MR [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry  
**Sent:** Thursday, February 23, 2017 7:36 AM  
**To:** Joshua Godhart  
**Subject:** Close Rate + Backend Issues

Hi Josh,

It looks like you're not getting credit for Webster or Nesmith because you're missing the UB. Closing these UB cases will improve your close rate and increase your Skill Level.

Hopefully you find this helpful, if you didn't already know these were still outstanding.

Row Labels	Opps	Closes	Back End Issues	Close Rate	Skill Level
Ari Antonelli	904	101	29	11.2%	4
Paul Signor	106	14	5	13.2%	5
Greg Bartlett	62	8	1	12.9%	5
Marcy Valle	91	11	2	12.1%	5
Cameron Mahr	120	14	3	11.7%	4
Ken Rabe	104	12	4	11.5%	4
Justin Hultzen	106	12	2	11.3%	4
Miguel Martinez	107	11	3	10.3%	4
Joshua Godhart	92	9	6	9.8%	4
Chris Lara	116	10	3	8.6%	3

E	F	G	H	I	J	K	L
Customer Name	Created Date	Employee Number	Closes	UB	Retention	Skill Level	UB
Don Chase	12/16/2016 16:03	137995	0	0	1	0	0
Bryan Peden	12/28/2016 13:55	137995	0	0	1	0	0
Paul Webster	12/28/2016 12:00	137995	0	0	1	0	1
Mark Simms	1/14/2017 16:35	137995	0	0	1	0	0
Eugene Nesmith	1/20/2017 15:12	137995	0	0	0	0	1
Patricia Burke	12/15/2016 14:14	137995	0	0	1	0	0

**Will Fortenberry**

Director, Inside Sales | SolarCity

---

t: 208.893.9309

m: 916.769.2535

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Refer a friend and get \$200.

CA CSLB 688104, MA REG 188572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state

**Joshua Godhart**

---

**From:** Ari Antonelli  
**Sent:** Thursday, February 23, 2017 12:20 PM  
**To:** IEC LV (Crawford)  
**Subject:** Bye for now...

**SUN'S OF PITCHES,**

Thanks so much for your continued hard work and focus! Keep kicking butt and working toward hitting your Net and Premium commits. Continue to help each other. You guys are the best team in Las Vegas! Show them what your made off!

I will send pics of baby Leonardo once he is out of the hospital and come visit soon! ☺

Please feel free to contact me via text 702.525.1040

Or email [arinelli94@gmail.com](mailto:arinelli94@gmail.com)



Warm Regards,

**Ari Antonelli**  
Regional Sales Manager | SolarCity

t: 209.316.6802

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CA CSLB 288104, MA HIC 168572/EL-1136M1. [Click here](#) to view our complete list of license numbers by state



**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Saturday, April 29, 2017 8:47 PM  
**To:** Joshua Godhart (jgodhart@solarcity.com); jgodhart@gmail.com  
**Subject:** SolarCity: Job Level Detail 08/01/2016 to 04/29/2017 - Joshua Godhart  
**Attachments:** Joshua Godhart -Job Level Detail Job Level Detail 08-01-2016 to 04-29-2017.csv

**August 2016 – April 2017 Year to Date Sales Numbers – Joshua Godhart**

JOB CREATIONS	GROSS BOOKINGS	CANCELLED BOOKINGS	NET BOOKINGS	PREMIUM BOOKINGS	FINAL CONTRA
65	65	25	40	6	31

**February 2017 Pipeline Management by Wil Fortenberry:**

JOB CREATIONS	GROSS BOOKINGS	CANCELLED BOOKINGS	NET BOOKINGS	PREMIUM BOOKINGS	FINAL CONTRA
3	3	7	-4	1	3

**April 2017 Pipeline Management by Joshua Godhart:**

JOB CREATIONS	GROSS BOOKINGS	CANCELLED BOOKINGS	NET BOOKINGS	PREMIUM BOOKINGS	FINAL CONTRA
13	13	7	6	3	10

**Joshua Godhart**

Inside Energy Specialist | SolarCity

t: 209.315.6896  
 m: 818.925.6016

The best solar equipment under the Sun. Learn more at [solarcity.com/quality](http://solarcity.com/quality).  
 Refer a friend and get \$200.

SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 16657276, 1125MR. [Click here](#) to view our complete list of license numbers by state

**Joshua Godhart**

---

**From:** Joshua Godhart  
**Sent:** Tuesday, February 28, 2017 7:22 PM  
**To:** Wil Fortenberry  
**Subject:** RE: Cancels?

Here you go.

Sidney Hertz: <https://soleo.solarcity.com/Chart.aspx?InstallationID=716807>  
Patricia Burke: <https://soleo.solarcity.com/Chart.aspx?InstallationID=752267>  
Paul Webster: <https://soleo.solarcity.com/Chart.aspx?InstallationID=756099>

**Joshua Godhart** | Inside Energy Specialist | SolarCity DBA Tesla Energy | t: 209.315.6898 | m: 818.925.6016  
CA CSLB 888104, MA HIC 168572/EL-1136MR [Click here to view our complete list of license numbers by state.](#)

**From:** Wil Fortenberry  
**Sent:** Tuesday, February 28, 2017 7:18 PM  
**To:** Joshua Godhart  
**Subject:** Cancels?

We can cancel up to 3 jobs tonight. Please let me know which ones are not salvageable.

<https://soleo.solarcity.com/Chart.aspx?InstallationID=716807>  
<https://soleo.solarcity.com/Chart.aspx?InstallationID=752267>  
<https://soleo.solarcity.com/Chart.aspx?InstallationID=756309>  
<https://soleo.solarcity.com/Chart.aspx?InstallationID=756099>

**Wil Fortenberry**  
Director, Inside Sales | SolarCity DBA Tesla Energy

t: 209.893.9309  
m: 916.769.2535

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**Joshua Godhart**

---

**From:** Kevin Dyess  
**Sent:** Wednesday, March 01, 2017 12:36 PM  
**To:** Joshua Godhart  
**Subject:** PIP Document  
**Attachments:** PIP Action Plan - Mar 2017 Godhart.docx

Please reply to this email with your decision to continue employment on a Performance Improvement Plan or if you would like to take 2 weeks paid severance.

Thanks:

**Kevin Dyess**  
Sr. Regional Sales Manager | SolarCity DBA Tesla Energy

t: 209.893.9302

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### Performance Improvement Action Plan

Below are the minimum expectations and additional coaching that will be provided during your Performance Improvement Plan. Minimum daily activities are outlined to show you are engaged in the coaching process and you're taking the steps required to be successful. You have a weekly check-in with your RSM to review your progress. A Performance Improvement Plan may be terminated early by SolarCity prior to the scheduled completion date if: (1) employee fails to engage in the PIP process; (2) continuous improvement is not made during the PIP process, or (3) the employee's conduct warrants earlier termination.

#### Minimum Daily Activity

- Your scheduled shift is Tuesday-Saturday, 9am-6pm. You are expected to "punch in" promptly via LaunchPad when you arrive in the office and be logged into your softphone for the duration of your shift. You are permitted a 1 hour lunch period and two 10 minute break periods. You are expected to log out of your softphone and "punch out" via LaunchPad when your shift ends each day.
- If you will be out of the office due to illness you must call your RSM no later than 1 hour prior to the start of your shift, unless medically unable to do so.
- If able, depending on your smart routing Skill Level, you are expected to take 4 opportunities before entering into the "Customer Review" Not Ready Status.
- You will be expected to have a minimum of 2 hours talk time or 30 outbound dials per day.
- Your pre-sale pipeline in SFDC must be called. All opportunities currently in your ownership must have an action taken or modification rendering from a phone call at a minimum of every 5 working days.
- Every sold customer must be called and SolarWorks must be notated at each milestone:
  - 1) Site Survey
  - 2) When the Interactive Proposal is Ready (Designs, Final Contract, etc.)
  - 3) Installation
  - 4) Inspection

#### Minimum Production

- You will have 3 checkpoints prior to the end of the month and you are expected finish March  $\geq 5$  Net Bookings. Each checkpoint ends at 11:59pm as follows: 3/12: 1 Net Booking, 3/19: 2 Net Bookings, 3/26: 3 Net Bookings. If a job has a retention case (JII) and the case cannot be resolved by you or your RSM, the job will be cancelled immediately in the same month it is booked. You may not have more than 4 JIIs (or 15% of your active pipeline) with a close date post July 1<sup>st</sup> to determine whether you have achieved the aforementioned Net Bookings requirements.
- Your RSM will meet with you the first business day following your checkpoint to review your progress.
- Should you successfully complete this plan, you must remain above Net Quota for each month of the next 2 months following the completion of the plan. Failure to do so will result in termination.

#### Additional Coaching

- Our team conducts daily call calibrations from 10-11am. While normally you would be scheduled for one coaching session per week, you are encouraged to attend this daily to provide additional coaching to help get you back on track.
- It is highly recommend no Gross Bookings be signed on the same day you receive the warm transfer. Allow the customer to speak with all decision makers and review the contract on their own before signing. Set a follow up for the next day to walk them through signing.
- Before a Dynamo link is sent to a customer, a screen sharing must occur via Zoom. Before the screen sharing occurs, you must obtain usage from the customer and preferably a copy of the utility bill. During the screen sharing you must:
  - Review the Dynamo
  - Conduct a 20MC
    - The scoring is based out of 40 points. The expectation is to achieve a score of 30 out of 40 or better.

About Me - Workday

W Q search

Joshua Godhart (137995)

POS-81165 Inside Energy Specialist

Kevin Dyess (102683)

 jgodhart@solarcity.com

Manager

View Team

HQ Las Vegas

Contact Personal

Time Off

Pay

Benefits

Compensation

Job

Completed 2 items

   Review

Review

Start Date

Verbal Coaching Plan: Joshua Godhart (137995)

PIP/Coaching Exception: Joshua Godhart (137995)

03/01/2017

11/01/2016

About Me - Workday

5/10/2017

## Joshua Godhart

---

**From:** Joshua Godhart  
**Sent:** Saturday, March 04, 2017 10:01 AM  
**To:** Emily Bowden  
**Subject:** RE: Hey

Hi Emily,

I believe that Toby did the right thing. Thank you for the empathy, and I really appreciate you reaching out to me.

Have a great weekend!

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 188572/EL-1135MR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Emily Bowden  
**Sent:** Saturday, March 04, 2017 9:58 AM  
**To:** Joshua Godhart  
**Subject:** Hey

Hi Josh,

I wanted to follow up with you regarding the -0 booking issue. I know that we had originally told you that you would advance to a PIP. Then, after additional consideration, Toby decided to roll this out with March's performance to ensure everyone understands the expectation clearly. I super apologize if this caused you any undue stress. That was not our intention at all.

I see that you already have 2 CW this month. Great job! I appreciate you!

Thanks,

Emily

**Emily Bowden**  
VP, Regional Sales | SolarCity

---

t: 916.797.5056

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**Joshua Godhart**

---

**From:** Joshua Godhart  
**Sent:** Sunday, April 23, 2017 11:02 AM  
**To:** Kevin Dyess; Wil Fortenberry  
**Subject:** FW: Please Cancel These Jobs - Joshua Godhart

Just a friendly reminder. Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 108572/EL-1135MR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Joshua Godhart  
**Sent:** Thursday, April 20, 2017 2:03 PM  
**To:** Kevin Dyess  
**Subject:** Please Cancel These Jobs - Joshua Godhart

Kevin,

Please cancel these Jobs on Saturday.

Thomas Duval: <https://soleo.solarcity.com/Chart.aspx?InstallationID=790166>  
Pete Regier: <https://soleo.solarcity.com/Chart.aspx?InstallationID=786979>

Thank you.

**Joshua Godhart**  
Inside Energy Specialist | SolarCity

---

t: 209.315.6896  
m: 818.925.6016

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SolarCity Corporation DBA Tesla Energy, CA CSLB 688104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry

**Sent:** Friday, April 28, 2017 11:25 AM

**To:** Joshua Godhart

**Cc:** Kevin Dyess

**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Josh,

I e-mailed every RSM team on Wednesday (see attached) saying that the cut off for sending me jobs to proactively cancel was yesterday. We do this so we can properly forecast where we're going to finish for the month. I'll hang onto these jobs for now and if your team and WUKAR is above quota on Sunday I'll be processing cancels, but I do have a few others that were sent me prior to the cut off, so those will be prioritized.

Also, I'm concerned that your pull through has decreased since joining Kevin's team. 47% of the jobs you booked last month are already cancelled or ILL. I want to make sure we're not just selling high volume in an attempt to outpace anticipated cancels from customers that aren't on board. Please work closely with Kevin once he's back to see what we can do to see some improvement in this area.

Feel free to swing by if you want to chat about this in person.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535

SolarCity Corporation DBA Tesla Energy, CA CSLB 688104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

**From:** Joshua Godhart

**Sent:** Friday, April 28, 2017 10:14 AM

**To:** Wil Fortenberry

**Subject:** Please Cancel These Jobs - Joshua Godhart

**Importance:** High

Wil,

Please cancel these jobs.

Huburn Benjamin: <https://soleo.solarcity.com/Chart.aspx?InstallationID=777866>

Bryan Peden: <https://soleo.solarcity.com/Chart.aspx?InstallationID=756309>

Thank you.

**Joshua Godhart**

Inside Energy Specialist | SolarCity

t: 209.315.6896

m: 818.925.6016

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---

**From:** Joshua Godhart  
**Sent:** Friday, April 28, 2017 1:08 PM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Wil,

Thanks for the feedback. I may have mis-interpreted the email. However, it appeared that I could not purge any Jobs from my pipeline because I was at Quota when the email was sent. Thank you for recognizing that I am trying to improve in very important areas of my business.

I look forward to getting further clarity.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 188572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 12:59 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

I'm sorry you interpreted my e-mail that way. You're the only person so far that's submitted cancels past the cutoff.

I haven't really dug into your business since the move, but I checked out your recent pull through after seeing the increase in cancellation requests from you.

Recommend reviewing with Kevin since your move: Conversion %, Premium, Cash/Loan mix.

I'm heading into a meeting for the next hour or so, but I'll stop by your desk once I'm done to button everything else up with you.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535.  
SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 188572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Joshua Godhart  
**Sent:** Friday, April 28, 2017 11:34 AM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Wil,

I remember the email. However, the email did not seem bilateral in the sense that it did not allow those who exceeded expectations the same opportunity to purge their pipelines. Thank you for the feedback on the pull through percentage; I will work on that. Nevertheless, there were a lot of unfortunate situations outside of my control that drove many of the Jobs to cancel. Have you noticed any improvement since my arrival to Kevin's Team? Please advise.

I am just trying to manage my pipeline.

Thanks.

Hi Josh,

Thanks for taking the time to speak with me this afternoon. During our conversation you mentioned that you felt like you were potentially being discriminated against and that other team members are being given preferential treatment when it comes to way the leadership team handles cancellation requests at the end of the month. Based on that feedback and your dissatisfaction with my answer as to why we weren't cancelling jobs for team members you mentioned how this might be a better conversation to have with PE involved, and I agreed. I suggested that we schedule a meeting with Kevin, me, Emily and Patti to address these concerns and you agreed that you would attend.

With it being month end and Kevin being out of the office until next week, I suggest you get with him when he return to coordinate our meeting.

I look forward to resolving this issue with you as soon as Patti's schedule permits.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535

SolarCity Corporation DBA Tesla Energy CA CSLB 668104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state

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**To:** Wil Fortenberry

**Cc:** Kevin Dyess

**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

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**Sent:** Friday, April 28, 2017 12:59 PM

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**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 SolarCity Corporation DBA Tesla Energy CA CSLB 888104; MA HIC 188572/EL-1135MR [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 11:25 AM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

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Also, I'm concerned that your pull through has decreased since joining Kevin's team. 47% of the jobs you booked last month are already cancelled or JIJ. I want to make sure we're not just selling high volume in an attempt to outpace anticipated cancels from customers that aren't on board. Please work closely with Kevin once he's back to see what we can do to see some improvement in this area.

Feel free to swing by if you want to chat about this in person.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2536  
 SolarCity Corporation DBA Tesla Energy CA CSLB 888104; MA HIC 188572/EL-1135MR [Click here](#) to view our complete list of license numbers by state

**From:** Joshua Godhart  
**Sent:** Friday, April 28, 2017 10:14 AM  
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**Subject:** Please Cancel These Jobs - Joshua Godhart  
**Importance:** High

Wil,

Please cancel these Jobs.

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Bryan Peden: <https://soleo.solarcity.com/Chart.aspx?InstallationID=756309>

Thank you.

**Joshua Godhart**  
Inside Energy Specialist | SolarCity

---

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m: 818.925.8016

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Bryan Peden: <https://soleo.solarcity.com/Chart.aspx?InstallationID=756309>

Thank you.

**Joshua Godhart**  
Inside Energy Specialist | SolarCity

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m: 818.926.6016

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Bryan Peden: <https://soleo.solarcity.com/Chart.aspx?InstallationID=756309>

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**Joshua Godhart**

Inside Energy Specialist | SolarCity

---

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m: 818.925.6016

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**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 SolarCity Corporation DBA Teala Energy CA CSLB 899104, MA HIC 169572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 11:25 AM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

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**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
 SolarCity Corporation DBA Teala Energy CA CSLB 899104, MA HIC 169572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

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SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 168572/EL-1136MR [Click here](#) to view our complete list of license numbers by state.

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**Joshua Godhart**

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**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
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 SolarCity Corporation DBA Tesla Energy, CA CSLB 688104, MA HIC 168572/EL-113618R [Click here](#) to view our complete list of license numbers by state

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**Sent:** Friday, April 28, 2017 12:59 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

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**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.693.9309 | m: 916.769.2535  
 SolarCity Corporation DBA Tesla Energy, CA CSLB 688104, MA HIC 168572/EL-113618R [Click here](#) to view our complete list of license numbers by state

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I remember the email. However, the email did not seem bilateral in the sense that it did not allow those who exceeded expectations the same opportunity to purge their pipelines. Thank you for the feedback on the pull through percentage; I will work on that. Nevertheless, there were a lot of unfortunate situations outside of my control that drove many of the Jobs to cancel. Have you noticed any improvement since my arrival to Kevin's Team? Please advise.

Hi Josh,

I e-mailed every RSM team on Wednesday (see attached) saying that the cut off for sending me jobs to proactively cancel was yesterday. We do this so we can properly forecast where we're going to finish for the month. I'll hang onto these jobs for now and if your team and WUKAR is above quota on Sunday I'll be processing cancels, but I do have a few others that were sent me prior to the cut off, so those will be prioritized.

Also, I'm concerned that your pull through has decreased since joining Kevin's team. 47% of the jobs you booked last month are already cancelled or JIJ. I want to make sure we're not just selling high volume in an attempt to outpace anticipated cancels from customers that aren't on board. Please work closely with Kevin once he's back to see what we can do to see some improvement in this area.

Feel free to swing by if you want to chat about this in person.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535

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**From:** Joshua Godhart

**Sent:** Friday, April 28, 2017 10:14 AM

**To:** Wil Fortenberry

**Subject:** Please Cancel These Jobs - Joshua Godhart

**Importance:** High

Wil,

Please cancel these jobs.

Huburn Benjamin: <https://soleo.solarcity.com/Chart.aspx?InstallationID=777866>

Bryan Peden: <https://soleo.solarcity.com/Chart.aspx?InstallationID=756309>

Thank you.

**Joshua Godhart**

Inside Energy Specialist | SolarCity

t: 209.315.6896

m: 818.925.6016

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Thanks for the feedback. I may have mis-interpreted the email. However, it appeared that I could not purge any Jobs from my pipeline because I was at Quota when the email was sent. Thank you for recognizing that I am trying to improve in very important areas of my business.

I look forward to getting further clarity.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 168572TEL-1136MR [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 12:59 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

I'm sorry you interpreted my e-mail that way. You're the only person so far that's submitted cancels past the cutoff.

I haven't really dug into your business since the move, but I checked out your recent pull through after seeing the increase in cancellation requests from you.

Recommend reviewing with Kevin since your move: Conversion %, Premium, Cash/Loan mix

I'm heading into a meeting for the next hour or so, but I'll stop by your desk once I'm done to button everything else up with you.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
SolarCity Corporation DBA Tesla Energy CA CSLB 688104, MA HIC 168572TEL-1136MR [Click here](#) to view our complete list of license numbers by state

**From:** Joshua Godhart  
**Sent:** Friday, April 28, 2017 11:34 AM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Wil,

I remember the email. However, the email did not seem bilateral in the sense that it did not allow those who exceeded expectations the same opportunity to purge their pipelines. Thank you for the feedback on the pull through percentage; I will work on that. Nevertheless, there were a lot of unfortunate situations outside of my control that drove many of the Jobs to cancel. Have you noticed any improvement since my arrival to Kevin's Team? Please advise.

I am just trying to manage my pipeline.

Thanks,

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 168572TEL-1136MR [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 11:25 AM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

## Joshua Godhart

---

**From:** Joshua Godhart  
**Sent:** Friday, April 28, 2017 4:28 PM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess; Emily Bowden; Patti Carney-Stjernelund (Tesla)  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Wil,

That is not quite how I communicated my concern. Furthermore, I made it clear to you at the end of our conversation that I was not ready to escalate my concerns. Nevertheless, I am open to dialogue about what I recognize as 'a broken process' from your perspective in the presence of PE.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 168572EL-1136MR [Click here](#) to view our complete list of license numbers by state.

---

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 4:18 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess; Emily Bowden; Patti Carney-Stjernelund (Tesla)  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

+Emily and Patti

Hi Josh,

Thanks for taking the time to speak with me this afternoon. During our conversation you mentioned that you felt like you were potentially being discriminated against and that other team members are being given preferential treatment when it comes to way the leadership team handles cancellation requests at the end of the month. Based on that feedback and your dissatisfaction with my answer as to why we weren't cancelling jobs for team members you mentioned how this might be a better conversation to have with PE involved, and I agreed. I suggested that we schedule a meeting with Kevin, me, Emily and Patti to address these concerns and you agreed that you would attend.

With it being month end and Kevin being out of the office until next week, I suggest you get with him when he return to coordinate our meeting.

I look forward to resolving this issue with you as soon as Patti's schedule permits.

---

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 168572EL-1136MR [Click here](#) to view our complete list of license numbers by state.

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**From:** Joshua Godhart  
**Sent:** Friday, April 28, 2017 1:08 PM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Wil,

Please do not do this moving forward. You did not close the retention cases, you only cancelled the job, so the proper workflow is not taking place on the backend. Furthermore, 2 of them had DQ cases, which have a particular SOP and even I don't have approval to cancel these sort of jobs. The notes on both of them appear as if customer has not been notified of the DQ yet, so I'll reach out to the team that handles DQs and have them contact the customer to inform them as to why we cancelled their project.

Even though you sent me Huburn Benjamin to cancel as well I'll leave it alone for now since it looks like you just shared the IP again at 1am this morning, so I'm guessing you're still trying to save it.

**Wil Fortenberry**  
Director, Inside Sales | SolarCity

---

t: 209.893.9309  
m: 916.769.2535

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5/3/2017

Jobs In Jeopardy Policy - Sales - SolarCity - TheGrid

# Jobs In Jeopardy Policy

Created by Maggie Kemper, last modified on Mar 16, 2017

## Policy & Overview

**Policy:** An EC can have no more than 20% of their total sold pipeline (booked but not installed) in JIJ status. This critically important KPI will be evaluated as part of performance management.

### Purpose of JIJ Feature

- Move a job forward (SAVE)
- Have a job cancelled

### JIJ Management

Managing EC JIJs is critical, holding jobs in JIJ (i.e. managing their net number) even when they know the job should be cancelled is not permitted.

### Who Can Cancel a Job

- An EC
- An RSM, after determining the job should be cancelled and informing the EC with as much advance notice as possible. RSM must note in SW that EC has been notified.

## Types of Jobs In Jeopardy

Customer is *Uncertain* about moving forward to installation

Email or call from Customer to EC, Concierge or other SolarCity staff stating they do not want to move forward

Customer is *Unresponsive* to all contact the last 8 attempts over at least the last 21 days.

**ⓘ** No job should sit in JIJ status, if EC has confirmed that job cannot be **SAVED** – EC can update retention case in SolarWorks , email solardocs , or update job via LaunchPad to process cancellation.

**ⓘ** **NOTE**  
If the job is not saved within 30 days, it will be subject to take over by SAVE teams and at 45 days job will auto cancel.

**ⓘ** **NOTE**  
If the job is not saved within 30 days, it will be subject to take over

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by SAVE teams and at 45 days job  
will auto cancel.

Customer has requested that the job be put *On Hold*.

Directions

1. Click on cases tab, then click on retention case (retention case must not be owned by Ops or we can't close it... If it's owned by ops, we need to request the retention case be updated through the concierge to a customer initiated retention case
  - a. Sales can only cancel jobs via the retention case (effective March 9, 2017)

- ① No retention case? Reach out to retention@solarcity.com to open one for you.

① **NOTE**  
All EC requests to place a job on "Hold" or requiring a time extension, must be approved by both RSM and Director as well as verified by a concierge representative with a note in SolarWorks.



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[Cases](#)
[Alerts](#)
[Emails/Tools](#)
[Workflows](#)
[Admin](#)
[Materials](#)

Subject

Note

Auto Test

Auto Assign

Owner: Krs Morgan

Queue: Please Select

Status: Open

Source

Sub Queue

Flow Status

Follow Up

Owner: Krs Morgan

Type:

Call

Date:

Case ID	Subject	Queue	SubQueue	Owner	STA
1231072	RETENTION: CEI - Customer Initiated	Retention - Customer	Insufficient Savings	Mark Morgan	Open
12882970	PTO Date Required	Interconnection	Data Entry Required	NoCase Owner	Open
12456478	Invoice Issued	Final Payment - Res	50 Pct At Install	Adam Christian	Open
10778484	Critical Home Owner Obligation	Design Flag	Other	Henry Footsree	Pent Cust

Case ID	Subject	Queue	SubQueue	Owner	Status	Flow Status	Age
1231072	RETENTION: CEI - Customer Initiated	Retention - Customer	Insufficient Savings	Mark Morgan	Open	50 Pct At Install	18 Days
12882970	PTO Date Required	Interconnection	Data Entry Required	NoCase Owner	Open	50 Pct At Install	18 Days
12456478	Invoice Issued	Final Payment - Res	50 Pct At Install	Adam Christian	Open	50 Pct At Install	18 Days
10778484	Critical Home Owner Obligation	Design Flag	Other	Henry Footsree	Pending Customer		202 Days

2. Click on the retention case.
  - a. Update status to Closed.
  - b. Select the correct reason by updating the Sub Queue (for example, Insufficient Savings)
  - c. Update FLOW STATUS drop down, by selecting "Closed - Account cancelled."
  - d. Click Update to save.

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Case Information		Case Details	
Case ID	12345678	Case Name	John Doe
Case Type	General	Case Status	Open
Case Category	Medical	Case Sub-category	Cardiology
Case Description	Patient with chest pain and shortness of breath.		
Case History	Patient has a history of hypertension and diabetes.		
Case Notes	Patient was seen by Dr. Smith on 10/26/2017.		
Case Actions	<div> <div>View</div> <div>Edit</div> <div>Delete</div> </div>		

Case Activity	
Activity ID	12345678
Activity Name	Case Update
Activity Description	Patient was seen by Dr. Smith on 10/26/2017.
Activity Date	10/26/2017
Activity Time	10:00 AM
Activity Location	Cardiology
Activity Status	Completed
Activity Type	Medical
Activity Category	Cardiology
Activity Sub-category	Cardiology
Activity Description	Patient was seen by Dr. Smith on 10/26/2017.
Activity History	Patient has a history of hypertension and diabetes.
Activity Notes	Patient was seen by Dr. Smith on 10/26/2017.
Activity Actions	<div> <div>View</div> <div>Edit</div> <div>Delete</div> </div>

7-10-68

**Responsible**

**Action Item**

**Concierge/CSAT      Opens Retention Case**

## Frequency

**As Needed**

**Automatic Email is sent to EC & RSM informing them of JLU**

<https://thegrid.solarcity.com/display/SAL/Jobst+In+Jeopardy+Policy>

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Jobs In Jeopardy Policy - Sales - Solar City - TheGrid

EC	<p>Review JIJ &amp; Make Notes in SW Using Note Template:</p> <ul style="list-style-type: none"> <li>• EC puts notes in SW that they are either             <ul style="list-style-type: none"> <li>• Trying to save the job, or</li> <li>• Will be emailing RSM to cancel the job if the Customer wants to cancel</li> </ul> </li> </ul> <p>Cannot hold on to job that is not moving forward. You must Cancel the Job.</p> <p>• Customer Unresponsive</p> <p>• Customer Unsure About Moving Forward</p> <p>• On Hold</p> <p><b>Note Template:</b></p> <p>1. <i>Voice Mail for</i> _____</p> <p><i>Conversation with</i> _____</p> <p><i>Email to</i> _____</p> <p><i>Notes:</i> _____</p> <p>_____</p> <p>2. <i>Follow Up(F/U) Action:</i> _____</p> <p>3. <i>F/U Date:</i> _____</p> <p>No change since last Note? Input "No Change" and copy the detail note from the last note with activity.</p>	<p>Within 72 hours of job becoming JIJ</p> <ul style="list-style-type: none"> <li>• Every 7 Days</li> <li>• Every 7 Days</li> <li>• Every 14 Days</li> </ul>
RSM	Review SW Notes and add review note	Within 24 hours of job hitting JIJ status
RSM	Review JIJ Report – follow up with EC during weekly one on one	Weekly
RSM	Confirm Notes are Updated in SW. Email to EC if in non-compliance	Weekly
RSM	<p>Performance Management – EC will be placed on a Performance Improvement Plan if any one of the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. More than 20% of jobs sold are in JIJ status for two consecutive months</li> <li>2. More than 1 non-compliance emails sent to EC within 30 day rolling period</li> </ol>	As Needed

## On Hold JIJ Information

<https://thegrid.solarcity.com/display/SALJobs+In+Jeopardy+Policy>

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Jobs In Jeopardy Policy - Sales - SolarCity - TheGrid

**Valid Reasons to Place a Job On Hold**

<i>Maximum Time</i>	<i>Reason Job On Hold</i>
<b><u>Job Can Be on Hold</u></b>	
Varies	Illness
60 Days	Personal Situation that precludes moving forward a the present Time
60 Days-extendable with approval	Modifications to the Home Precluding the Installation (e.g. reroofing, tree removal, remodeling, etc.) May require new Site Survey

**On Hold Extensions**

On hold extensions are allowed only with RSM and Director written approval. Standard extensions will be no more than 30 days. This is to provide visibility, in an effort to prevent "perm-a-holds" and net number gaming. Please email approved hold extensions to [sclardocs@solarcity.com](mailto:sclardocs@solarcity.com) for processing.

**CAMG – "On Hold" process**

CAMG – "On Hold" process defaults to between 30 and 60 days hold – and can be extended via CAMG leadership based on a validated customer request.

**"On Hold" jobs excluded from JIJ ratio considerations**

Certain jobs shall be excluded from consideration when calculating JIJ % ratios:

Jobs placed on hold by our Utility team due to program suspensions or policy issues are flagged as "Red Zone Projects" as shown below:

- Case Queue: Retention-On Hold
- Sub Queue: Red Zone Project

<https://thegrid.solarcity.com/display/SAU/Ids+Int+Jeopardy+Policy>

5/3/2017

Jobs In Jeopardy Policy - Sales - SolarCity - TheGrid

- o Example utilities where these cases exist: NVE, SRP, IID

**Auto Assign**

**Owner:** Jeremy Summers

**Source:**

**Queue:** Retention - On Hold

**Sub:** Red Zone Project

?

**Queue:** ?

ID

**Status:** Open

**Flow Status:** Sales Alert - On Hold

**Prtd**

FAQs


Can I close jobs in Launchpad and SolarWorks?  
Yes.

Can an EC cancel a job without a retention case?

How soon after the EC cancels in Launchpad/SW, will it show up?

Why are EC's now allowed to cancel jobs?

The new policy is designed to prevent EC's from gaming the system and leave them 100% accountable to their business. The RSM remains accountable as well. But now there is a checks and balances in place.

 Like Be the first to like this

No labels

5/3/2017

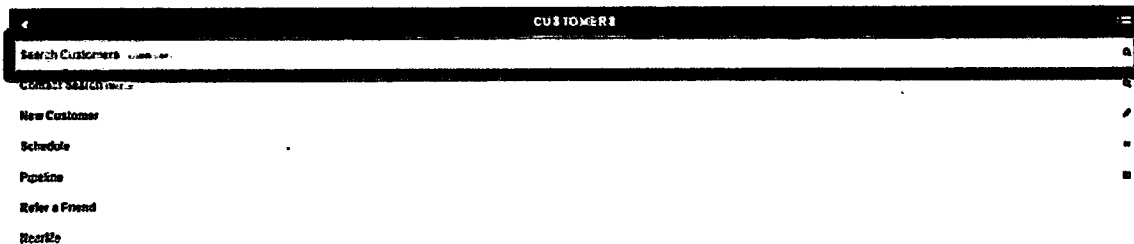
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<https://thegrid.solarcity.com/display/SALJobs+In+Jeopardy+Policy>

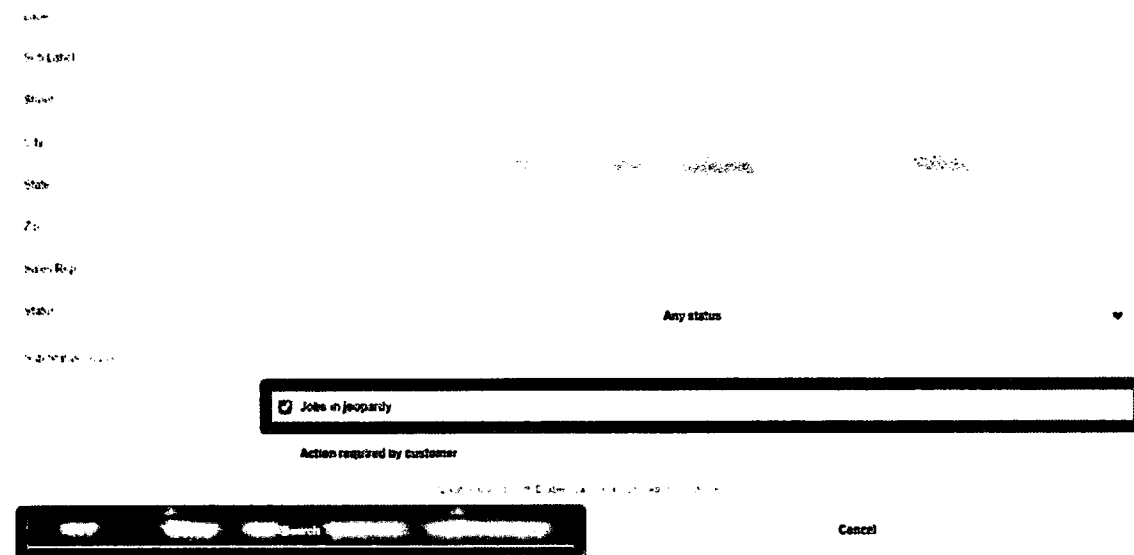
## Sales Guide to Cancellations Processing

Sales team members will have visibility to their Jobs In Jeopardy (JIJ) cases and jobs with Retention cases in their JIJ tab within LaunchPad. The steps below summarize how to process a save or cancel for these two scenarios as well as how to process a cancellation for a job that is active without a JIJ or Retention case.

1.1. Login to Launchpad and select the **Customers** tab and then **Search Customers**.



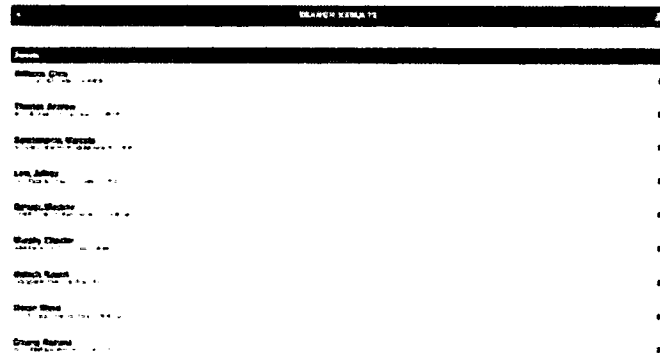
1.2. Select the **Jobs in Jeopardy** checkbox under the **Sub Status** field and click **Search**.



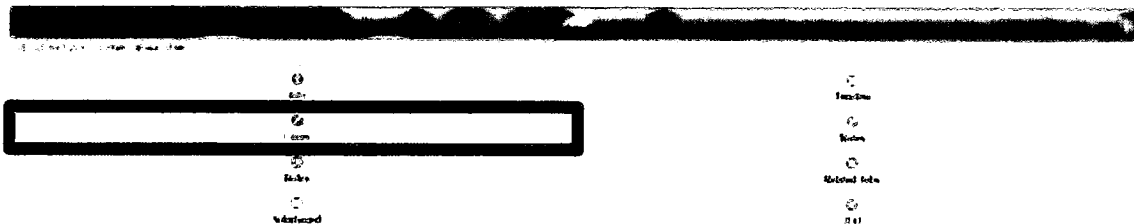
You also can narrow your search to a specific customer by entering his or her name in the **Customer Name** field, selecting your customer, and clicking **Search**.

## Sales Guide to Cancellations Processing

1.3. Select the customer you want to review from the search results. You can use the filter to reduce the list. For example, if you want to only see customers with a status of Customer Uncertain, you can enter this in the **Filter Here** space.

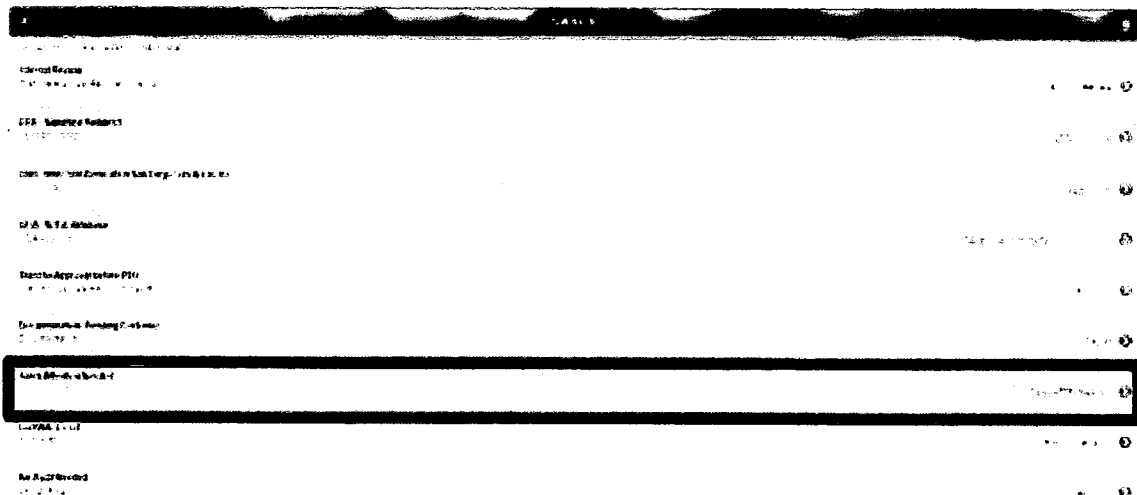


1.4. Next, select the **Cases** tab.



## JJJ Cases

2.1. You can continue to self-process your JJJ cases. Start by selecting the JJJ case.





## Sales Guide to Cancellations Processing

### 2.2. If the job is **Saved**:

2.2a. Add notes to what has transpired

2.2b. Update Flow Status to *Advance JIJ Job*

2.2c. Close the case

*The job will auto sweep back to Active within 1 hour for the next steps.*

The screenshot shows a web application interface with a sidebar on the left and a main content area. The sidebar contains a search bar and a list of items. The main content area displays a table with three rows, each corresponding to a step in a process. The first row is labeled '2.2a' and the second row is labeled '2.2b'. The third row is labeled '2.2c' and has a status of 'Closed'. Below the table, there is a section for 'Case Notes' and a 'Print Page' button.

Step	Status	Notes
2.2a		
2.2b		
2.2c	Closed	

Case Notes

Print Page

### 2.3. If the job is **Cancelled**:

2.3a. Add notes for reason of cancellation

2.3b. Update Flow Status to *Proceed with Cancellation*

2.3c. Close the case

*The job will move towards cancellation.*

## Sales Guide to Cancellations Processing Retention Cases

### 3.1. You can now self-process Retention Cases.

[illegible]

### 3.2. If the job is **Saved**:

### 3.2a. Add notes as to what has transpired

### 3.2b. Update Flow Status to *Cancellation Averted*

***The job will auto-sweep back to active within 1 hour for next steps.***

[illegible]

## **Sales Guide to Cancellations Processing**

### **3.3. If the job is Cancelled:**

**3.3a. Add notes as to reason for cancellation**

**3.3b Update Flow Status to *Cancel Pending Save***

*The job will auto-sweep towards cancellation within 1 hour.*

## **Cancellations**

### **Partner / Channel Reseller:**

**These teams must contact their CAM, Project Specialist, or email Solardocs for assistance**

#### **"Job is saved"**

- Email [Solardocs@solarcity.com](mailto:Solardocs@solarcity.com) or call 877-701-7652 to process
  - JB Link
  - What transpired to save the job
  - We will close the case with FS: Cancellation Averted & job will move forward

#### **"Job is Cancelled"**

- Email [Solardocs@solarcity.com](mailto:Solardocs@solarcity.com) or call 877-701-7652 to process
  - JB Link
  - What you attempted to do to save the job
  - We will move the FS to "Cancel Pending Save" & job will move towards cancellation

### **For Live Jobs:**

**If the job has not yet been flagged with a JIJ or Retention Case indicating an at Risk status – the EC must follow the below protocols to get the job processed for cancellation**

#### **"Job needs to be cancelled"**

- Email [Solardocs@solarcity.com](mailto:Solardocs@solarcity.com)
  - JB Link
  - Why the job is being cancelled (be as detailed as possible here please)
  - We will create a "Retention – Customer Initiated" case and move the FS to "Cancel Pending Save" to move towards cancellation

### **What we won't do:**

- We will not create a retention case unless a reason is indicated for the customers cancellation (email will be returned asking for detail as we must be able to track reason for cancellation accurately)
- Any EC or RSM sending in lists of jobs to cancel – will have the email returned unless they specifically advise why each job is being cancelled

**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Sunday, April 30, 2017 7:29 PM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** Re: EOM Cancels

Wil,

So, where do I start on 5/2? Do I start the month at -4 after I have booked 28 Jobs in the last two months? Roof DQ's are out of my control. Why would I want Jobs in my pipeline that can't move to install? I get paid from installed Jobs, and that is my focus. Please advise.

Thank you.

Joshua Godhart  
 Inside Energy Specialist | SolarCity

t: 209.315.6896  
 m: 818.925.6016

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**From:** Wil Fortenberry  
**Sent:** Sunday, April 30, 2017 6:39:57 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** EOM Cancels

Hi Josh,

I kept the 2 jobs that you requested to cancel and was getting ready to process them when I noticed that they've already been cancelled and it appears as if you processed the cancellation yourself without talking to me or Kevin about it.

Customer	SalesRep	Manager	Office	Status	SubStatus
Bryan Peden	Joshua Godhart	Ken Crawford	El Paso	Canceled	Account Canceled
George Bae	Joshua Godhart	Kevin Dyess	Denver	Canceled	Account Canceled
Andy Chukhachev	Joshua Godhart	Kevin Dyess	Denver	Canceled	Account Canceled
Jonathan Torres	Joshua Godhart	Kevin Dyess	Tombula	Canceled	Account Canceled

**Joshua Godhart**

---

**From:** Joshua Godhart  
**Sent:** Monday, May 01, 2017 7:26 AM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** Fw: Progress From March 1 to April 30 - Joshua Godhart

Wil & Kevin,

Below you will find my progress from 3/1 to 4/30. Please help me understand why we would keep Jobs in my pipeline that will have an adverse affect on my employment? Roof DQ's and Electrical DQ's are out of my control, but still have an adverse affect on my employment when they cancel. Therefore, why wouldn't we cancel the Jobs when I am way over Quota versus some future date when it could have a negative impact on my employment?

Wil, I remember how you managed my cancels in February 2017 and the adverse affect that it had on my employment; and I am still experiencing that adverse affect.

I look forward to hearing the rationale with regard to these concerns when I return to the office.

Thank you.

Joshua Godhart  
Inside Energy Specialist | SolarCity

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t: 209.315.6896  
m: 818.925.6016

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**From:** Joshua Godhart  
**Sent:** Sunday, April 30, 2017 2:41:04 AM  
**To:** Joshua Godhart; jgodhart@gmail.com  
**Subject:** Progress From March 1 to April 30 - Joshua Godhart

Progress Since Arriving To Kevin Dyess' Team:

Installatio	Customer	SalesRep	Manager	Office	Status	Sul
777866	Huburn Benjamin	Joshua Godhart	Kevin Dyess	Albuquerque	Installation	Pe
778193	William Mott	Joshua Godhart	Kevin Dyess	Sacramento	Installation	Pe
779761	Jeff Morgan	Joshua Godhart	Kevin Dyess	Foster City	Permit	Ap
779801	Nejmi Bulucchi	Joshua Godhart	Kevin Dyess	San Fernando Valley	Cancelled	Ad
779871	Nathaniel Alenderger	Joshua Godhart	Kevin Dyess	South Tucson	Cancelled	Ad
780857	Michelle Hunter	Joshua Godhart	Kevin Dyess	Phoenix	Installation	Sch
781433	Georges Hoo	Joshua Godhart	Kevin Dyess	Denver	Cancelled	Ad
783424	Anthony Flores	Joshua Godhart	Kevin Dyess	Blackwood	Permit	De
783559	Robert Allen	Joshua Godhart	Kevin Dyess	Salinas 2	Inspection	Aw
784773	John Cline	Joshua Godhart	Kevin Dyess	Bellevue	Cancelled	Ad
786273	Dan Weissman	Joshua Godhart	Kevin Dyess	Salinas 2	Permit	Sul
788979	Pete Regier	Joshua Godhart	Kevin Dyess	West Valley	Cancelled	Ad
789116	George Salas	Joshua Godhart	Kevin Dyess	Phoenix	Permit	Sit
789247	Bill Smykalov	Joshua Godhart	Kevin Dyess	Hampton	Cancelled	Ad
789737	Floyd Sherrod	Joshua Godhart	Kevin Dyess	Temecula	Inspection	Aw
791108	Thomas Druval	Joshua Godhart	Kevin Dyess	Manchester	Cancelled	Ad
790371	Dean Clatone	Joshua Godhart	Kevin Dyess	Deer Valley	Permit	Sul
792044	Diana Wright	Joshua Godhart	Kevin Dyess	Salinas 2	Permit	Sul
792728	Joanne Hoyle	Joshua Godhart	Kevin Dyess	Seaford	Installation	Pe
793686	Eugene Nesmith	Joshua Godhart	Kevin Dyess	Pine Brook	Permit	Sit
794700	Gary Von Schilling	Joshua Godhart	Kevin Dyess	Cranbury	Permit	De
795121	Anthony Zambaveri	Joshua Godhart	Kevin Dyess	Denver	Cancelled	Ad
795357	Cheryl Owens	Joshua Godhart	Kevin Dyess	Fresno	Permit	De
795470	Meganne Martinez	Joshua Godhart	Kevin Dyess	Deer Valley	Permit	Ap
797111	LAUREL UNDERWOOD	Joshua Godhart	Kevin Dyess	Clermont WH	Permit	Sit
797204	Joseph James	Joshua Godhart	Kevin Dyess	Temecula	Cancelled	Ad
797631	Eugene Nesmith	Joshua Godhart	Kevin Dyess	Pine Brook	Permit	Sit
797703	Alvin Wellington	Joshua Godhart	Kevin Dyess	Millford	Permit	Sit

**Joshua Godhart**  
Inside Energy Specialist | SolarCity

t: 209.315.6896  
m: 818.925.6016

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**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Monday, May 01, 2017 11:49 AM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** RE: EOM Cancels

Wil,

I read your email again; and I understand it more clearly. I thought that you were saying that you were going to re-open the cancelled Jobs because I cancelled them. I understand what you are saying more clearly after reading the email again. Like I said before, my focus is on running a clean business with Jobs that go to Install.

I apologize if my previous emails caused confusion.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 108572/EL-1139MR. [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry  
**Sent:** Sunday, April 30, 2017 6:40 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** EOM Cancels

Hi Josh,

I kept the 2 jobs that you requested to cancel and was getting ready to process them when I noticed that they've already been cancelled and it appears as if you processed the cancellation yourself without talking to me or Kevin about it.

Customer	SalesRep	Manager	Office	Status	SubStatus
Bryan Faden	Joshua Godhart	At Crawford	El Paso	Cancelled	Account Cancelled
George Roe	Joshua Godhart	Kevin Dyess	Denver	Cancelled	Account Cancelled
Andrew Isaksteyev	Joshua Godhart	Kevin Dyess	Denver	Cancelled	Account Cancelled
Johnna Torres	Joshua Godhart	Kevin Dyess	Tampa	Cancelled	Account Cancelled

Please do not do this moving forward. You did not close the retention cases, you only cancelled the job, so the proper workflow is not taking place on the backend. Furthermore, 2 of them had DQ cases, which have a particular SOP and even I don't have approval to cancel these sort of jobs. The notes on both of them appear as if customer has not been notified of the DQ yet, so I'll reach out to the team that handles DQs and have them contact the customer to inform them as to why we cancelled their project.

Even though you sent me Hubert Benjamin to cancel as well I'll leave it alone for now since it looks like you just shared the IP again at 1am this morning, so I'm guessing you're still trying to save it.

**Wil Fortenberry**  
 Director, Inside Sales | SolarCity

t: 209.893.9309  
m: 916.769.2535

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**Joshua Godhart.**

---

**From:** Joshua Godhart  
**Sent:** Wednesday, May 03, 2017 4:57 PM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess  
**Subject:** RE: EOM Cancels  
**Attachments:** Cancellation Process Job Aide\_3.pdf; Jobs In Jeopardy Policy - Sales - SolarCity - TheGrid.pdf

Hi Wil,

I will be back in town on 5/9 at my scheduled time. Will we be discussing the attached documentation; or something more? Please advise.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 188572/EL-113EMR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Wil Fortenberry  
**Sent:** Wednesday, May 03, 2017 3:30 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: EOM Cancels

Hi Josh,

I wanted to follow up and let you know that Patti won't be back in Las Vegas until Friday, but Kevin mentioned that you are scheduled to be out of the office that day.

What day early next week works best for you for the 4 of us to meet?

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 188572/EL-113EMR. [Click here](#) to view our complete list of license numbers by state.

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**From:** Wil Fortenberry  
**Sent:** Tuesday, May 02, 2017 8:31 AM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** RE: EOM Cancels

Appreciate the follow up here, Josh. This topic seems related to the meeting we're already trying to schedule with Patti, so please get with Kevin and prepare in advance all items you'd like to cover (and I'll do the same) so we can make the most of our time once we're all able to get together.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 188572/EL-113EMR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Joshua Godhart  
**Sent:** Monday, May 01, 2017 11:49 AM  
**To:** Wil Fortenberry

**Cc:** Kevin Dyess  
**Subject:** RE: EOM Cancels

Will,

I read your email again; and I understand it more clearly. I thought that you were saying that you were going to re-open the cancelled Jobs because I cancelled them. I understand what you are saying more clearly after reading the email again. Like I said before, my focus is on running a clean business with Jobs that go to install.

I apologize if my previous emails caused confusion.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

**From:** Will Fortenberry  
**Sent:** Sunday, April 30, 2017 6:40 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess  
**Subject:** EOM Cancels

Hi Josh,

I kept the 2 jobs that you requested to cancel and was getting ready to process them when I noticed that they've already been cancelled and it appears as if you processed the cancellation yourself without talking to me or Kevin about it.

Customer	Sales Rep	Manager	Office	Status	SubStatus
Brian Segun	Joshua Godhart	Ken Casanova	El Paso	Cancelled	Account Cancelled
Dezaja Bob	Joshua Godhart	Kevin Dyess	Denver	Cancelled	Account Cancelled
Andy Zalusky	Joshua Godhart	Kevin Dyess	Denver	Cancelled	Account Cancelled
Adriana Torres	Joshua Godhart	Kevin Dyess	Tampa Bay	Cancelled	Account Cancelled

Please do not do this moving forward. You did not close the retention cases, you only cancelled the job, so the proper workflow is not taking place on the backend. Furthermore, 2 of them had DQ cases, which have a particular SQP and even I don't have approval to cancel these sort of jobs. The notes on both of them appear as if customer has not been notified of the DQ yet, so I'll reach out to the team that handles DQs and have them contact the customer to inform them as to why we cancelled their project.

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**Will Fortenberry**  
 Director, Inside Sales | SolarCity

t: 209.893.9309  
 m: 916.769.2535

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**Patti Carney-Stjernelund** | HR Manager | Human Resources  
LVHQ | 6671 Las Vegas Blvd STE 300 | 89119, Las Vegas, NV  
c:702-419-5410 | [pcarney@tesla.com](mailto:pcarney@tesla.com)



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**From:** Joshua Godhart [<mailto:jgodhart@solarcity.com>]  
**Sent:** Thursday, May 04, 2017 10:31 AM  
**To:** Wil Fortenberry (SolarCity)  
**Cc:** Kevin Dyess (SolarCity); Emily Bowden (SolarCity); Patti Carney-Stjernelund  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hello All,

Now that this matter has been escalated, I would like to make everyone aware of the fact that I am in need of ADA accommodation on the date of our meeting. I have auditory processing disorder APD; and I will need to record the meeting with my Auxiliary Device to make certain that I capture the full scope of the meeting. Please provide me with any ADA Form that I need to complete before the day of the meeting. If medical proof is needed for PE before the meeting, I am willing to provide that information for my Personnel file. I am under the assumption that the scope of the meeting will be nothing more than the attached Policies. However, if the scope of the meeting will be beyond the scope of the attached Policies; please make the scope of the meeting clear before the meeting so I can be prepared.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 188572/EL-1138MR [Click here](#) to view our complete list of license numbers by state

**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Thursday, May 04, 2017 10:31 AM  
**To:** Wil Fortenberry  
**Cc:** Kevin Dyess; Emily Bowden; Patti Carney-Stjernelund (Tesla)  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart  
**Attachments:** Jobs In Jeopardy Policy - Sales - SolarCity - TheGrid.pdf; Cancellation Process Job Aide\_3.pdf

Hello All,

Now that this matter has been escalated, I would like to make everyone aware of the fact that I am in need of ADA accommodation on the date of our meeting. I have auditory processing disorder APD, and I will need to record the meeting with my Auxillary Device to make certain that I capture the full scope of the meeting. Please provide me with any ADA Form that I need to complete before the day of the meeting. If medical proof is needed for PE before the meeting, I am willing to provide that information for my Personnel file. I am under the assumption that the scope of the meeting will be nothing more than the attached Policies. However, if the scope of the meeting will be beyond the scope of the attached Policies, please make the scope of the meeting clear before the meeting so I can be prepared.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.316.6896 | m: 818.925.6016  
 SolarCity Corporation DBA Tesla Energy CA CSLB 626104, MA HIC 102572/EL-1132MR [Click here](#) to view our complete list of license numbers by state.

**From:** Wil Fortenberry  
**Sent:** Friday, April 28, 2017 4:18 PM  
**To:** Joshua Godhart  
**Cc:** Kevin Dyess; Emily Bowden; Patti Carney-Stjernelund (Tesla)  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

+Emily and Patti

Hi Josh,

Thanks for taking the time to speak with me this afternoon. During our conversation you mentioned that you felt like you were potentially being discriminated against and that other team members are being given preferential treatment when it comes to way the leadership team handles cancellation requests at the end of the month. Based on that feedback and your dissatisfaction with my answer as to why we weren't cancelling jobs for team members you mentioned how this might be a better conversation to have with PE involved, and I agreed. I suggested that we schedule a meeting with Kevin, me, Emily and Patti to address these concerns and you agreed that you would attend.

With it being month end and Kevin being out of the office until next week, I suggest you get with him when he return to coordinate our meeting.

I look forward to resolving this issue with you as soon as Patti's schedule permits.

**Wil Fortenberry** | Director, Inside Sales | SolarCity | t: 209.893.9309 | m: 916.769.2535  
 SolarCity Corporation DBA Tesla Energy CA CSLB 626104, MA HIC 102572/EL-1132MR [Click here](#) to view our complete list of license numbers by state

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**From:** Joshua Godhart [<mailto:jgodhart@solarcity.com>]  
**Sent:** Thursday, May 04, 2017 10:31 AM  
**To:** Will Fortenberry (SolarCity)  
**Cc:** Kevin Dyess (SolarCity); Emily Bowden (SolarCity); Patti Carney-Stjernelund  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hello All,

Now that this matter has been escalated, I would like to make everyone aware of the fact that I am in need of ADA accommodation on the date of our meeting. I have auditory processing disorder APD; and I will need to record the meeting with my Auxiliary Device to make certain that I capture the full scope of the meeting. Please provide me with any ADA Form that I need to complete before the day of the meeting. If medical proof is needed for PE before the meeting, I am willing to provide that information for my Personnel file. I am under the assumption that the scope of the meeting will be nothing more than the attached Policies. However, if the scope of the meeting will be beyond the scope of the attached Policies, please make the scope of the meeting clear before the meeting so I can be prepared.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: [209.315.6896](tel:209.315.6896) | m: [818.925.6016](tel:818.925.6016)  
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Educational Audiologist  
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Pasadena, CA 91107

22110 Clarendon St., Suite 102  
Woodland Hills, CA 91367

1333 De La Vina Street, Suite H  
Santa Barbara, CA 93101

**Joshua Godhart**

---

**From:** Joshua Godhart  
**Sent:** Tuesday, May 09, 2017 7:17 PM  
**To:** 'apcpasadena@gmail.com'  
**Subject:** ADA Accomodation Needed - Joshua Godhart  
**Attachments:** 294-Inside Energy Specialist-2.29.16.docx; Disability Certification.doc

Hi Braun,

Can you please review the attached documentation to see what accommodation would be consistent with my auditory processing disorder? If I need to provide my Medical card for billing purposes please advise.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.8016  
 SolarCity Corporation DBA Tesla Energy CA CSLB 868104, MA HIC 1665721EL-11304R [Click Here](#) to view our complete list of license numbers by state

**From:** Patti Carney-Stjernelund [mailto:pcarney@tesla.com]  
**Sent:** Tuesday, May 09, 2017 6:23 PM  
**To:** Joshua Godhart  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Josh,

As a result of your voluntary disclosure on May 4th, we first learned of your request for one or more work accommodations. SolarCity complies with the Americans with Disabilities Act ("ADA") and applicable state law, and is willing to make reasonable accommodations to qualified individuals with covered disabilities, absent undue hardship. In order to engage in an interactive dialogue with you and evaluate one or more work accommodations, it is important that you provide the attached Disability Certification from your treating physician to the Leave of Absence team at [benefits@solarcity.com](mailto:benefits@solarcity.com) or by fax 1-866-325-3559 (I have included a copy of your job description to aid your physician in filling out the Disability Certification). Absent receiving sufficient medical documentation, we cannot determine whether you have a qualifying disability and/or whether you are entitled to any reasonable accommodations.

Understand that if you fail to return the Disability Certification by May 16th, then SolarCity will understand that either you do not have any disability or that the condition does not qualify as a disability under applicable law, and SolarCity cannot agree to an accommodation. If it is determined that you in fact do have a covered disability, then SolarCity will engage in an interactive dialogue with you, your management team, and Human Resources to determine whether and what reasonable accommodation(s) can be made. A reasonable accommodation is one that would allow you to perform the essential functions of your job without imposing an undue hardship on SolarCity.

Please note that if your healthcare provider indicates that a work accommodation is needed, then he or she should also indicate the accommodation requested, the reason for the accommodation, the expected duration of the accommodation, and additional information that would allow us to engage in an interactive dialogue with you. For example, in your request on May 4th for an accommodation, you asked for permission to record a meeting with an Auxiliary Device. While workplace recordings are generally not permitted, we require more information about the "Auxiliary Device" you propose to use including whether it is an amplifying-only device or an amplifying device that also records, and why it is medically necessary for your attendance at a meeting, etc.

Patti

**Joshua Godhart**

---

**From:** Joshua Godhart  
**Sent:** Wednesday, May 10, 2017 3:36 PM  
**To:** 'Bea Braun'  
**Subject:** RE: ADA Accomodation Needed - Joshua Godhart

Hi Ms. Braun,

Thank you so much for your prompt reply. I really appreciate your help..

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 168572/EL-1136NR. [Click here](#) to view our complete list of license numbers by state.

**From:** Bea Braun [mailto:apcpasadena@gmail.com]  
**Sent:** Wednesday, May 10, 2017 2:17 PM  
**To:** Joshua Godhart  
**Subject:** Re: ADA Accomodation Needed - Joshua Godhart

Hello Joshua,

I've attached the completed Disability Certificate. Please note they indicated your physician needs to fill it out. I am not a medical doctor but rather a doctor of audiology. Hopefully this won't be a problem.

Best,  
Bea

On Tue, May 9, 2017 at 7:17 PM, Joshua Godhart <[jgodhart@solarcity.com](mailto:jgodhart@solarcity.com)> wrote:

Hi Braun,

Can you please review the attached documentation to see what accommodation would be consistent with my auditory processing disorder? If I need to provide my Medical card for billing purposes please advise.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy, CA CSLB 888104, MA HIC 168572/EL-1136NR. [Click here](#) to view our complete list of license numbers by state.

---

**From:** Patti Carney-Stjernelund [mailto:[pcarney@tesla.com](mailto:pcarney@tesla.com)]  
**Sent:** Tuesday, May 09, 2017 6:23 PM



**To:** Joshua Godhart

**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Josh,

As a result of your voluntary disclosure on May 4th, we first learned of your request for one or more work accommodations. SolarCity complies with the Americans with Disabilities Act ("ADA") and applicable state law, and is willing to make reasonable accommodations to qualified individuals with covered disabilities, absent undue hardship. In order to engage in an interactive dialogue with you and evaluate one or more work accommodations, it is important that you provide the attached Disability Certification from your treating physician to the Leave of Absence team at [benefits@solarcity.com](mailto:benefits@solarcity.com) or by fax 1-866-325-3559 (I have included a copy of your job description to aid your physician in filling out the Disability Certification). Absent receiving sufficient medical documentation, we cannot determine whether you have a qualifying disability and/or whether you are entitled to any reasonable accommodations.

Understand that if you fail to return the Disability Certification by May 16th, then SolarCity will understand that either you do not have any disability or that the condition does not qualify as a disability under applicable law, and SolarCity cannot agree to an accommodation. If it is determined that you in fact do have a covered disability, then SolarCity will engage in an interactive dialogue with you, your management team, and Human Resources to determine whether and what reasonable accommodation(s) can be made. A reasonable accommodation is one that would allow you to perform the essential functions of your job without imposing an undue hardship on SolarCity.

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Patti

**Patti Carney-Stjernelund** | HR Manager | Human Resources

LVHQ | 6671 Las Vegas Blvd STE 300 | 89119, Las Vegas, NV

c:702-419-5410 | [pcarney@tesla.com](mailto:pcarney@tesla.com)

**TESLA**

## Joshua Godhart

---

**From:** Joshua Godhart  
**Sent:** Wednesday, May 10, 2017 3:22 PM  
**To:** Patti Carney-Stjernelund (Tesla)  
**Subject:** FW: ADA Accomodation Needed - Joshua Godhart  
**Attachments:** Godhart 5-10-17 Disability Certification.pdf

Hi Patti,

Please see the attached Disability Certificate per your request.

Thank you,

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
SolarCity Corporation DBA Tesla Energy CA CSLB 688104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state

**From:** Bea Braun [mailto:apcpasadena@gmail.com]  
**Sent:** Wednesday, May 10, 2017 2:17 PM  
**To:** Joshua Godhart  
**Subject:** Re: ADA Accomodation Needed - Joshua Godhart

Hello Joshua,

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Bea

On Tue, May 9, 2017 at 7:17 PM, Joshua Godhart <[jgodhart@solarcity.com](mailto:jgodhart@solarcity.com)> wrote:

Hi Braun,

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SolarCity Corporation DBA Tesla Energy CA CSLB 688104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state

**From:** Patti Carney-Stjernelund [mailto:[pcarney@tesla.com](mailto:pcarney@tesla.com)]  
**Sent:** Tuesday, May 09, 2017 6:23 PM  
**To:** Joshua Godhart  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Josh,

As a result of your voluntary disclosure on May 4th, we first learned of your request for one or more work accommodations. SolarCity complies with the Americans with Disabilities Act ("ADA") and applicable state law, and is willing to make reasonable accommodations to qualified individuals with covered disabilities, absent undue hardship. In order to engage in an interactive dialogue with you and evaluate one or more work accommodations, it is important that you provide the attached Disability Certification from your treating physician to the Leave of Absence team at [benefits@solarcity.com](mailto:benefits@solarcity.com) or by fax 1-866-325-3559 (I have included a copy of your job description to aid your physician in filling out the Disability Certification). Absent receiving sufficient medical documentation, we cannot determine whether you have a qualifying disability and/or whether you are entitled to any reasonable accommodations.

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Patti

**Patti Carney-Stjernelund | HR Manager | Human Resources**  
LVHQ | 6671 Las Vegas Blvd STE 300 | 89119, Las Vegas, NV  
c: 702-419-5410 | [pcarney@tesla.com](mailto:pcarney@tesla.com)



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**From:** Joshua Godhart [<mailto:jgodhart@solarcity.com>]  
**Sent:** Thursday, May 04, 2017 10:31 AM  
**To:** Will Fortenberry (SolarCity)  
**Cc:** Kevin Dyess (SolarCity); Emily Bowden (SolarCity); Patti Carney-Stjernelund  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hello All,

Now that this matter has been escalated, I would like to make everyone aware of the fact that I am in need of ADA accommodation on the date of our meeting. I have auditory processing disorder APD; and I will need to record the meeting with my Auxiliary Device to make certain that I capture the full scope of the meeting. Please provide me with any ADA Form that I need to complete before the day of the meeting. If medical proof is needed for PE before the meeting, I am willing to provide that information for my Personnel file. I am under the assumption that the scope of the meeting will be nothing more than the attached Policies. However, if the scope of the meeting will be beyond the scope of the attached Policies; please make the scope of the meeting clear before the meeting so I can be prepared.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: [209.315.6896](tel:209.315.6896) | m: [818.925.6016](tel:818.925.6016)  
SolarCity Corporation DBA Tesla Energy. CA CSLB 888104, MA HIC 168572/EL-1136MR. [Click here](#) to view our complete list of license numbers by state.

--  
**Bea Braun, Au.D.**  
**Doctor of Audiology**

Educational Audiologist  
Auditory Processing Center of Pasadena, Woodland Hills and Santa Barbara  
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*22110 Clarendon St., Suite 102  
Woodland Hills, CA 91367*

*1333 De La Vina Street, Suite H  
Santa Barbara, CA 93101*

**Joshua Godhart**

**From:** Joshua Godhart  
**Sent:** Tuesday, May 09, 2017 8:21 PM  
**To:** Patti Carney-Stjernelund (Tesla)  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Patti,

I will try my best to meet the deadline of May 16<sup>th</sup> outlined in your email. However, I am not privy to my Physicians' professional schedule; and there may be a conflict. I have forwarded your email communication to my treating Physician for review; and I am awaiting a reply. Furthermore, I am doing just fine with the 'essential functions' of my job; but it is the 'ancillary functions' that I am concerned with. Wil Fortenberry has escalated a matter that I clearly communicated that I wasn't comfortable escalating with him. I told Wil Fortenberry that I did not feel comfortable discussing the matter with him directly, and if I was required to have the discussion with him; I would feel more comfortable having it in the presence of PE. Lastly, I told Wil Fortenberry directly that if I needed to contact PE about the matter, I knew the proper channels to begin that dialogue. I am beginning to feel like this is borderline harassment to have a conversation in the presence of Wil Fortenberry that I am not willing to have in front of him for fear of retaliation in the workplace. I think I need to talk with PE alone about my concerns. Please make clear to me the scope of this pending meeting so I can prepare for the discussion. Please give me guidance.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016  
 SolarCity Corporation DBA Tesla Energy, CA CSLB 688104, MA HIC 199672/EL-112CMR. [Click here](#) to view our complete list of license numbers by state.

**From:** Patti Carney-Stjernelund [mailto:pcarney@tesla.com]  
**Sent:** Tuesday, May 09, 2017 6:23 PM  
**To:** Joshua Godhart  
**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hi Josh,

As a result of your voluntary disclosure on May 4th, we first learned of your request for one or more work accommodations. SolarCity complies with the Americans with Disabilities Act ("ADA") and applicable state law, and is willing to make reasonable accommodations to qualified individuals with covered disabilities, absent undue hardship. In order to engage in an interactive dialogue with you and evaluate one or more work accommodations, it is important that you provide the attached Disability Certification from your treating physician to the Leave of Absence team at [benefits@solarcity.com](mailto:benefits@solarcity.com) or by fax 1-866-325-3559 (I have included a copy of your job description to aid your physician in filling out the Disability Certification). Absent receiving sufficient medical documentation, we cannot determine whether you have a qualifying disability and/or whether you are entitled to any reasonable accommodations.

Understand that if you fail to return the Disability Certification by May 16th, then SolarCity will understand that either you do not have any disability or that the condition does not qualify as a disability under applicable law, and SolarCity cannot agree to an accommodation. If it is determined that you in fact do have a covered disability, then SolarCity will engage in an interactive dialogue with you, your management team, and Human Resources to determine whether and what reasonable accommodation(s) can be made. A reasonable accommodation is one that would allow you to perform the essential functions of your job without imposing an undue hardship on SolarCity.

Please note that if your healthcare provider indicates that a work accommodation is needed, then he or she should also indicate the accommodation requested, the reason for the accommodation, the expected duration of the

accommodation, and additional information that would allow us to engage in an interactive dialogue with you. For example, in your request on May 4th for an accommodation, you asked for permission to record a meeting with an Auxiliary Device. While workplace recordings are generally not permitted, we require more information about the "Auxiliary Device" you propose to use including whether it is an amplifying-only device or an amplifying device that also records, and why it is medically necessary for your attendance at a meeting, etc.

Patti

**Patti Carney-Stjernelund** | HR Manager | Human Resources

LVHQ | 6671 Las Vegas Blvd STE 300 | 89119, Las Vegas, NV

c:702-419-5410 | [pcarney@tesla.com](mailto:pcarney@tesla.com)

**T E S L A**

The content of this message is the proprietary and confidential property of Tesla, and should be treated as such. If you are not the intended recipient and have received this message in error, please delete this message from your computer system and notify me immediately by reply e-mail. Any unauthorized use or distribution of the content of this message is prohibited. Thank you.



Please consider the environment before printing this email

**From:** Joshua Godhart [<mailto:jgodhart@solarcity.com>]

**Sent:** Thursday, May 04, 2017 10:31 AM

**To:** Wil Fortenberry (SolarCity)

**Cc:** Kevin Dyess (SolarCity); Emily Bowden (SolarCity); Patti Carney-Stjernelund

**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

Hello All,

Now that this matter has been escalated, I would like to make everyone aware of the fact that I am in need of ADA accommodation on the date of our meeting. I have auditory processing disorder APD; and I will need to record the meeting with my Auxiliary Device to make certain that I capture the full scope of the meeting. Please provide me with any ADA Form that I need to complete before the day of the meeting. If medical proof is needed for PE before the meeting, I am willing to provide that information for my Personnel file. I am under the assumption that the scope of the meeting will be nothing more than the attached Policies. However, if the scope of the meeting will be beyond the scope of the attached Policies; please make the scope of the meeting clear before the meeting so I can be prepared.

Thank you.

**Joshua Godhart** | Inside Energy Specialist | SolarCity | t: 209.315.6896 | m: 818.925.6016

SolarCity Corporation DBA Tesla Energy CA CSLB 888104, MA HIC 168572/EL-1136MR [Click here](#) to view our complete list of license numbers by state

**From:** Wil Fortenberry

**Sent:** Friday, April 28, 2017 4:18 PM

**To:** Joshua Godhart

**Cc:** Kevin Dyess; Emily Bowden; Patti Carney-Stjernelund (Tesla)

**Subject:** RE: Please Cancel These Jobs - Joshua Godhart

+Emily and Patti

4/15/2017

Joshua Godhart - Inside Energy Specialist - SolarCity Las Vegas - Nevada



## Joshua Godhart

Inside Energy Specialist  
SolarCity Las Vegas - Nevada  
CA CSLB 888104, MA HIC 168572/EL-1136MR

I am here to assist people who are considering Solar as a Clean Energy alternative. I have a very permission based service approach to presenting the SolarCity products and services. Finally, I enjoy working with progressive people who are committed to the Clean Energy movement. Join me!

Updates Recommendations **32** Videos **1**

### Joanne Hoyle

2 days ago

Lady of the house

Mr Godhart is a very friendly and personable individual. He was very informative and worked with me throughout the process helping to fill out the required forms, I know he will be there through out the entire process until completion. I would highly recommend him.

### Diana Wright

Apr 8, 2017

I am 110% sure that you want to ask for Josh Godhart as your Solar City rep. He got me the best deal of the five companies I contacted (OK, so one went out of business, but the others are common vendor names). He also did the same for my son, who is mighty particular about where he spends is money. Josh attributed the superb deal he offered to the use of a very sharp pencil, but I suspect his product knowledge, winning personality, reputation among the SC staff, persistence and patience (I put him to the test not this) had even more to do with the offer I got. Thanks Josh. I look forward to watching my meter run in reverse :)

### Michelle hunter

Apr 4, 2017

Property Owner

Joshua is VERY upfront, he does not sugar coat things, in which I like, he also helps you understand the ways of SC and challenges you to think outside the box, he is an outstanding rep. I would recommend him to anyone. he is Great

### George Boe

Mar 30, 2017

Photographer

He was very informative and setup everything I needed to make an easy decision to switch to solar. Thank you.

### Paul Merritt

Feb 6, 2017

Satisfied Customer

Joshua was eager to help, very patient, and enthusiastic about taking ownership of our project and steering it to a successful resolution. He answered all of the questions I had and was extremely accommodating, and is someone whose service I would wholeheartedly recommend.

### Ernest Cuatto

Jan 26, 2017

Home Owner

Working with Joshua was gratifying. He was hands-on, knowledgeable and low-key. He knew his stuff, wasn't pushy and knew how to listen. Again he took time to listen to me and answer my questions directly and honestly. Not your normal sales person type but technical instead with patience. He's the type of person I enjoy working with. Ernest C.

### Ernest Cuatto

Jan 26, 2017

Home Owner

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### Bryan peden

Jan 4, 2017

I

Josh was a done a great job and help me with the information I hope to continue working with him in the future



4/15/2017

Joshua Godhart - Inside Energy Specialist - SolarCity Las Vegas - Nevada

**Dylan Greiner**

Dec 31, 2016

Customer, Solar City

Joshua was excellent in answering my questions and getting me set up for a PV system from SolarCity. I am very impressed by the level of customer service provided by Joshua and will readily recommend SolarCity products and services to others.

Keep up the excellent work and level of service!

**Anna Peden**

Dec 26, 2016

teacher

Joshua was wonderful! He answered all my questions- many times. I would highly recommend Joshua as an Inside Energy specialist.

**Anonymous**

Dec 26, 2016

Joshua was very knowledgeable and patient. He has exceptional customer service skills.

**Scott Arthur**

Dec 21, 2016

Nurse Practitioner

Joshua was very well-informed regarding the product, and the varied details of the potential savings. He designed an array that encompassed the sunny areas of my roof, and would be most beneficial in my plan. Kept in contact with me, and was very pleasant when speaking. I would recommend him to any of my friends seeking to set up solar panels and save electricity.

**Peter Coleman**

Dec 18, 2016

SVP

Joshua was an excellent sales representative that worked with me to determine what fits my needs. He was cordial and not forceful in any way. I highly recommend working with him.

**David D. Pokrajac**

Dec 17, 2016

Professor

You are a great professional. You explained us in great detail all the advantages and issues related to solar energy. I appreciate your patience and help.

Dec 17, 2016

SolarCity Anthem



Why Solar? Why SolarCity?

4/15/2017

Joshua Godhart - Inside Energy Specialist - SolarCity Las Vegas - Nevada

**Dr Patricia Burke**

Dec 17, 2016

customer in RI

He didn't belabor my first name, repeating it in every other sentence as most sales people and technical help seem to be trained to do ( I think that's a hold over from "how to win friends" - after 30 minutes on hold with micro-soft support in India, I am already "bonded" ... not in a good way. It just drives me nuts, so I appreciated that) .  
 Warm without being obsequious. Very professional.  
 Obviously knowledgeable about the product and process.  
 Explained everything well and able to answer my questions .  
 In my mind, he voted for Clinton.

The company in general, including when I tried the first time 4-5-6 years ago , I have found very accommodating, and maintains a good reputation, .

I mentioned to JG I was surprised he was so easily able to get my info from the electric company. Part of: the skypey stuff, and sharing computers --all seems  
 -I don't know, a little frightening , but does make life easier.

In that same vein, I mentioned this to JD. I contacted Solar City again in November , to see if I was now eligible . I can't remember how -- I may have followed a link . But I didn't google solar of fill in general form ...yet I started getting phone calls from Trinity Solar within a few days of SC contacting me.. Are they hacking -you ?

**Edward Engel**

Dec 12, 2016

Customer

Joshua is a very aggressive seller on the product he introduces to his potential customers. He is able to get the job done.

**Anna Peden**

Dec 10, 2016

Teacher

Joshua Godhart was excellent! He answered all my questions, several yimes. He was patient, repeated answers as needed, friendly and professional. I highly recommend his services to all.  
 Anna Peden

**Anna Peden**

Dec 10, 2016

Teacher

Joshua Godhart was excellent! He answered all my questions, several yimes. He was patient, repeated answers as needed, friendly and professional. I highly recommend his services to all.  
 Anna Peden

**Stephen Soltez**

Nov 16, 2016

Retired mechanic

Joshua did a really good job he took his time explained everything thoroughly

**Susan Jeanne Eicker**

Nov 4, 2016

Pharmacy Tech

He always accommodated me in times I was available to call and called when he said he would. Followed through with everything he said about my possibilities. Was very quick in responding to me with my proposition w pictures which were very pleasing. Great personality on live chat and on the phone. Seemed very interested in helping me personally. I was unable to buy at this time due to a dental emergency that set me back several thousand. I am looking forward to hearing from Joshua in the early spring as we discussed.

**Angie Patti**

Nov 2, 2016

Teacher

Joshua is very well versed in the field of Solar Energy. He was easy to understand and understands that his customers are looking into alternative energy as a way to help the environment and to save money.  
 He walked us through the initial questioning phase and explained how things work and answered all the questions we had.  
 Joshua was a pleasure to work with.

**Lesley greenberg**

Nov 1, 2016

Joshua was very helpful and explained everything about the proposal. He clearly and completely answered all my questions. Good experience.

**Michael Mcsperitt**

Oct 27, 2016

Correction officer

Joshua godhart is very good at explaining the ins and outs of what solar works and how it will save you money in the long run and will work hard for you to find out answers to your questions I would recommend him to anyone

4/15/2017

Joshua Godhart - Inside Energy Specialist - SolarCity Las Vegas - Nevada

Jean Chilson

Oct 21, 2016

I talked to Joshua a good two hours on the phone. He was delightful. He made my lack of computer ability not embarrassing but rather instructed me through it. His knowledge of the product was very noticeable but more than that his passion of the product showed through. He made me think of solar energy in a positive light not as some way for government to blow money. There was no hard sell just basic facts that fit into my life situation. He was professional without being stiff. The company is lucky to have him.

Powered by Reach150

## Joshua Godhart

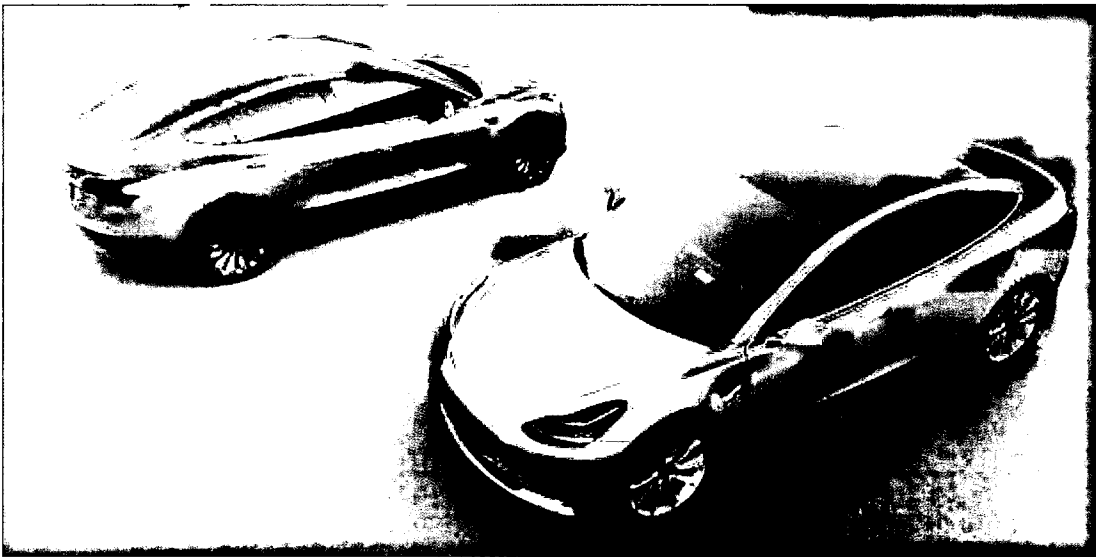
---

**From:** Jeremy Patterson  
**Sent:** Thursday, March 30, 2017 2:45 PM  
**Subject:** Tour de Fremont Grand Prize Rankings!!!!

Just over 1 day left. Now is your time to shine ☺ It is a very tight race for the top team members in Net this month & under 20% retention.

Joshua Godhart I see you at the top! Can I get 1 premium? Please? What do you think Toby's first question for you is going to be? ☺

Who is going to Tesla to catch a glimpse of the Model 3 in production?



SalesRep	Net Bookings (Post Cuto	Premium Bookin	% Post Cutoff
Joshua Godhart	11	0	9%
Ryan Uhde	10	5	10%
Jessica Deal	9	4	7%
Ron Lowe	9	2	8%
Mario Mendez	9	2	15%
Scott Honeycutt	9	1	15%
Devon L'Ecluse	8	3	11%
Chrystian Cross	8	2	8%
Michael Pessah	8	4	12%
Tony De Barros	8	2	9%
Steven Angelo	8	2	17%
Miguel Martinez	8	1	13%
Savita Sharan	8	1	12%
Justin Bellacera	8	3	17%
Brianna Bierstock	8	4	4%
Greg Bartlett	8	1	16%
Jordan Wilson	8	0	17%
Evan Bateman	8	3	5%
Josh Bonvillion	8	2	7%
Phillips Goodenough	7	1	13%
Soliman Abassi	7	3	8%
Juan Rojas	7	2	15%
Shawn Todd	7	3	17%
Steve Silver	7	0	0%
Jacob Grubb	7	4	10%
Zach Hoerth	7	2	0%
Tate Fackrell	7	2	6%
Eugene Shauf	7	2	16%
Thomas Pham	6	5	3%
A.J. Kuck	6	1	0%
David Hall	6	3	8%
Ku'ulei Otis	6	2	10%
Jackie Labarge	6	3	13%
Reld Wright	6	2	13%
Josh Norman	6	1	0%
Matt Hodges	6	2	3%
Michael Hall	6	3	17%
Paul Signor	6	1	3%
Zach Taylor	6	0	6%
Carlos Buonafina	6	2	13%

**Jeremy Patterson** | Director, Inside Sales | SolarCity | m: 916.802.0712

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6/24/2019

Gmail - Progress From March 1 to April 30 - Joshua Godhart



Joshua Godhart &lt;jgodhart@gmail.com&gt;

**Progress From March 1 to April 30 - Joshua Godhart**

1 message

Joshua Godhart &lt;jgodhart@solarcity.com&gt;

To: Joshua Godhart &lt;jgodhart@solarcity.com&gt;, "jgodhart@gmail.com" &lt;jgodhart@gmail.com&gt;

Progress Since Arriving To Kevin Dyess' Team:

Installatio	Customer	SalesRep	Manager	Office	Status	SubStatus	BookingDate	SystemSiz	Premium	IsRe
777866	Huburn Benjamin	Joshua Godhart	Kevin Dyess	Albuquerque	Installation	Pending Approval	1-Mar-17	2.8 -		TI
778193	William Mott	Joshua Godhart	Kevin Dyess	Sacramento	Installation	Pending Approval	2-Mar-17	14.2 -	-	
779761	Jeff Morgan	Joshua Godhart	Kevin Dyess	Foster City	Permit	Application Complete	7-Mar-17	8.6 -	-	
780857	Michelle Hunter	Joshua Godhart	Kevin Dyess	Phoenix	Installation	Scheduled	10-Mar-17	5.9 -	-	
783424	Anthony Flores	Joshua Godhart	Kevin Dyess	Blackwood	Permit	Design Complete	15-Mar-17	6.6 -	-	
783559	Robert Allen	Joshua Godhart	Kevin Dyess	Salinas 2	Inspection	Awaiting Approval	15-Mar-17	7.9 -	-	
786273	Dan Weissman	Joshua Godhart	Kevin Dyess	Salinas 2	Permit	Submitted	22-Mar-17	3.6 -	-	
789116	George Salas	Joshua Godhart	Kevin Dyess	Phoenix	Permit	Site Survey Complete	29-Mar-17	5.9 -	-	
789737	Floyd Sherrod	Joshua Godhart	Kevin Dyess	Temecula	Inspection	Awaiting Approval	31-Mar-17	7.4 -	-	
790371	Dean Clatone	Joshua Godhart	Kevin Dyess	Deer Valley	Permit	Submitted	2-Apr-17	3.3 -	-	
792044	Diana Wright	Joshua Godhart	Kevin Dyess	Salinas 2	Permit	Submitted	8-Apr-17	5.8 Premium	-	
792728	Joanne Hoyle	Joshua Godhart	Kevin Dyess	Seaford	Installation	Pending Approval	11-Apr-17	8.8 -	-	
793686	Eugene Nesmith	Joshua Godhart	Kevin Dyess	Pine Brook	Permit	Site Survey Complete	14-Apr-17	7.2 Premium	-	
794700	Gary Von Schilling	Joshua Godhart	Kevin Dyess	Cranbury	Permit	Design Complete	18-Apr-17	8.4 -	-	
795357	Cheryl Owens	Joshua Godhart	Kevin Dyess	Fresno	Permit	Design Complete	20-Apr-17	9.4 -	-	
795470	Meganne Martinez	Joshua Godhart	Kevin Dyess	Deer Valley	Permit	Application Complete	20-Apr-17	3.6 -	-	
797111	LAUREL UNDERWOOD	Joshua Godhart	Kevin Dyess	Clermont WH	Permit	Site Survey Scheduled	25-Apr-17	9.4 -	-	
797631	Eugene Nesmith	Joshua Godhart	Kevin Dyess	Pine Brook	Permit	Site Survey Pending	27-Apr-17	2.6 Premium	-	
797703	Alvin Wellington	Joshua Godhart	Kevin Dyess	Millford	Permit	Site Survey Scheduled	27-Apr-17	8.7 -	-	

Joshua Godhart

Inside Energy Specialist | SolarCity

t: 209.315.6896

m: 818.925.6016

The best solar equipment under the Sun. Learn more at [solarcity.com/quality](http://solarcity.com/quality).  
Refer a friend and get \$200.

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# EXHIBIT C

PLAINTIFF DEMAND  
LETTER THAT DEFENDANT  
FAILED OR REFUSED TO  
RESPOND TO



Jenny Foley, Ph.D., Esq.  
Direct: 702-577-3029  
Email: jfoley@hkm.com

**FOR SETTLEMENT PURPOSES ONLY-SUBJECT TO FRE 408 and NRS 48.105**

**VIA US-MAIL TO:**

**TESLA Energy Inc., / TESLA Motors  
Attn: Human Resource Manager  
6569 Las Vegas Blvd. South, Ste. 200  
Las Vegas, NV 89119**

**- And -**

**TESLA Headquarters  
Attn: Director  
3500 Deer Creek Road  
Palo Alto, CA 94304**

July 12, 2019

**Re: Joshua Godhart**

Dear Human Resource Manager and Director,

We represent Joshua Godhart concerning the disability discrimination and retaliation he faced as an employee of TESLA Motors. Put simply, TESLA (or “the Company”) effectively pushed Mr. Godhart out in retaliation for complaining about the discrimination by his supervisor, Will Fortenberry. We submit this letter in an effort to resolve this matter before turning to costly and embarrassing litigation against the Company.

**Factual Background**

Mr. Godhart informed Tesla of his disability – Auditory processing disorder, on or about May 4, 2017. This was after being told he would be meeting with The Human Resources Department to discuss his complaints of discrimination by his supervisor, Wil Fortenberry.

Thereafter, Tesla required him to provide evidence of this disorder and confirmation of the accommodations he needed to assist him in his work. Mr. Godhart provided the requested information by the given deadline of May 16, 2017.

Thereafter, on or about May 17, 2017, Mr. Godhart was terminated as a pretext for disability discrimination and/or in retaliation for requesting reasonable accommodations for his disability. Mr. Godhart has his Right to Sue letter and we intend to file suit if this matter does not resolve amiably.



TESLA Energy Inc., / TESLA Motors  
 Re: Joshua Godhart  
 July 12, 2019

Page | 2

### **Liability and Damages**

As the Company is no doubt aware, lawsuits are expensive, distracting, and sometimes embarrassing. They also are unnecessary, particularly if TESLA Energy Inc., / TESLA Motors is prepared to recognize the substantial liability that the Company will face in the event of litigation.

In the event of litigation, Mr. Godhart will be entitled to the following damages:

- **Emotional Distress Damages.** These events devastated Mr. Godhart both emotionally and physically. He is reeling from the shock of how poorly TESLA Energy Inc., / TESLA Motors treated him after he raised valid employee concerns about the discrimination. Although we recognize that emotional damages awards are highly unpredictable, an emotional distress award of \$100,000 is entirely reasonable.
- **Attorneys' Fees.** Under federal law, a prevailing party is entitled to reimbursement of attorney's fees. Based on the facts of this case, we anticipate a reimbursement of about \$200,000 in fees and costs after our client prevails at trial.
- **Punitive Damages.** Under federal law, we are entitled to punitive damages. We expect a large punitive damages award based on the egregious conduct of TESLA Energy Inc., / TESLA Motors and would expect to obtain at least \$100,000 in these damages.

These estimates, of course, do not include (1) fees and costs that TESLA Energy Inc., / TESLA Motors and any *individual* defendants will pay their attorneys; (2) pre-judgment interest, and (3) tax gross-up. Put simply, if this case proceeds through trial, TESLA Energy Inc., / TESLA Motors and the individuals named in the lawsuit could easily end up having to pay out more than \$400,000, along with an embarrassing jury verdict that highlights the discriminatory and unlawful manner the Company treated a quality employee.

### **Mr. Godhart's Offer**

To resolve this matter, however, Mr. Godhart is willing to settle for **\$150,000 (One Hundred and Fifty Thousand Dollars)**. In addition, TESLA Energy Inc., / TESLA Motors must protect Mr. Godhart from negative comments by those at TESLA.

I ask that you or your counsel contact me to discuss bringing these matters to a swift resolution. Accordingly, this offer will remain open until **5:00 PM PST on Friday, July 19, 2019**.

///

///

TESLA Energy Inc., / TESLA Motors  
Re: Joshua Godhart  
July 12, 2019

Page | 3

### **Preservation of Documents**

Please note that this letter constitutes a notice of intent to sue. Given the tenor and nature of our client's allegations, we ask that you take the necessary steps to ensure that the Company preserves all potentially relevant material concerning our client's employment. The type of material to be preserved includes all paper documents and electronically stored information including, but not limited to, e-mail, voicemail, instant messages and work procession files that are in the Company's possession, custody or control, whether stored on computers or other storage media (e.g., hard disks, floppy disks, Dropbox Files, FTP Files, Cloud Storage files, backup tapes, Zip cartridges, CDs, DVDs, etc.).

Very Truly Yours,

HKM EMPLOYMENT ATTORNEYS, LLP

*Jenny L. Foley*

Jenny Foley, PhD., Esq.

cc: Joshua Godhart, Client

# EXHIBIT D

## PLAINTIFF DISABILITY CERTIFICATION

## **Disability Certification of Health Care Provider**

### **Section I.**

Joshua Godhart (the "Employee") has been under my care from 1-31-15 to 5-10-17. Based on my examination of the Employee, I hereby certify the following information:<sup>1</sup>

1. Please check below if Employee has any of the following (simply check the appropriate section(s), but do NOT identify the Employee's particular disability, medical condition or genetic information\*):

☐ A. a physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;

**OR**

☒ B. a mental or physiological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

**OR**

☐ C. any other health impairment not described above that requires special education or related services;

**OR**

☐ D. any health impairment related to or associated with a diagnosis of cancer, or a record or history of cancer for which a person has been rehabilitated or cured, based on competent medical evidence;

**OR**

☐ E. any of the following physical or mental disabilities: chronic or episodic conditions such as HIV/AIDS, hepatitis, epilepsy, seizure disorder, diabetes, clinical depression, bipolar disorder, multiple sclerosis, and heart disease.

*If you checked either 1A or 1B above, please respond to question 2 below. If you did not check either 1A or 1B above, please proceed to question 3.*

2. Does the condition limit the Employee's ability to participate in a major life activity (i.e., walking, speaking, breathing, working, sitting, standing, social activities, thinking, or concentrating)?

---

<sup>1</sup> Please respond to the questions related to physical and mental disabilities or medical conditions without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

☒ Yes ☐ No

*If you responded Yes to question 2, please identify the major life activity that is limited:*

**Listening, Concentrating, Memory, Misunderstanding**.

3. ☐ Please check here if the Employee has none of the physical or mental disabilities or medical conditions specified in 1A through 1E above.

*If you checked question 3, please skip section II and proceed directly to section III, below. If you checked any of the items in 1A through 1E, please proceed to section II.*

## **Section II.**

The following fundamental job duties are essential functions of the Employee's position. Please answer the questions in this section with regard to *all* duties identified in this list.

**Please see attached Job Description**

1. Can the Employee perform all of the essential functions of his/her job **without** any accommodation for his/her disability or medical condition?

☐ Yes ☒ No

*If your response is Yes, please skip the rest of this section and proceed directly to section III, below. If your response is No, please proceed to the next question.*

2. Can the Employee perform *all* of the essential functions of his/her job **with** an accommodation for his/her disability? Please note that a leave of absence can be an accommodation. If the Employee needs a leave of absence, you should check Yes and respond to the additional questions in question 3, below.

☒ Yes ☐ No

*If your response is No, please identify below each essential function that the Employee is unable to perform despite any reasonable accommodation. Once you have completed this section, you may then skip the rest of this section and proceed directly to section III, below.*

Essential Function(s) Employee is Unable to Perform Despite Accommodation:

see job description

*If your response is Yes, please proceed to answer all remaining questions in this section, below.*

3. Please describe any and all accommodation(s) the Employee needs in order to perform the essential functions of his/her job, including the duration that each listed accommodation is needed, and the essential job function the Employee cannot perform without the accommodation.

**Accommodation Needed**

Seating away from background noise with the right ear to the speaker, reduce noise in the environment, utilize audio recorders and dictation devices, utilize a laptop or iPad to take notes and organize information, repeat information if needed, provide information in writing as well as verbally.

---

If leave of absence is needed:

Please indicate the beginning and the ending dates for the period of incapacity:

N/A

---

**Expected Duration of Each Accommodation**

Ongoing

---

**Essential Function for which Accommodation Needed**

Communication, Memory,  
Misunderstanding speech and intent

---

4. Describe the functional limitations, if any, that the Employee has with respect to the performance of the essential functions of his/her position. **Completion of this information is required in order to allow the Company an opportunity to engage in an interactive process with the Employee to determine the suitability of specific accommodations.**

Mr. Godhart has a (central) auditory processing disorder. He struggles to understand speech in the presence of background noise, in environments that are reverberant, and with speakers who talk quickly or speak with accents. He should be at a close distance with his right ear to the speaker and away from background noise. He also struggles with auditory memory and retaining auditory information and will require assistive technology (recording devices, note-taking) when in difficult listening environments and complex listening situations.

---

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5. Even with reasonable accommodations are there any of the Employee's essential duties that the Employee is **unable** to perform in a manner that would not endanger his/her health or safety or the health or safety of others?

\_\_\_\_\_ Yes   X   No

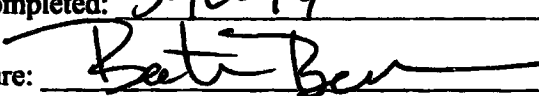
*If your response is Yes, please identify below each essential function that the Employee is unable to perform safely despite any reasonable accommodation.*

Job Description Attached

---

### Section III.

I declare under penalty of perjury to the best of my medical knowledge that the information contained herein is true and correct and that I have sufficient medical information regarding the Employee to complete this Certification.

Name and title: Beatrice Braun, Au.D. Doctor of Audiology  
Address: 22110 Clarendon St. #102, Woodland Hills CA  
Date completed: 5-10-17 91367  
Signature: 

#### **\*THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA)**

\*The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of any individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic Information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

# EXHIBIT E

## DEFENDANT EMPLOYEE HANBOOK



Revised January 2017



## **Employee Handbook**

Revised January 2017

## **Introductory Statement and Summary**

We are committed to making SolarCity a fun place to work while we make a difference for the environment by providing cleaner, more affordable energy options. Our vision is to make it possible for everyone to adopt clean power. At SolarCity we have a strong team and nothing is more important than providing a rewarding work environment for everyone. Our company values, including our commitment to safety, guide us and are the underpinning of our culture. We hope that you will find your position with the Company challenging and rewarding.

We firmly believe that treating our customers with the utmost respect and delivering the best possible experience is the key to our success. It is for that reason we prefer to promote employees from within our own organization to positions of greater responsibility and status whenever possible.

While many of our policies may seem like the straightforward approach to daily operations, we have found it necessary to put them in statement form. Hopefully, this will eliminate misunderstandings, and help create a better working environment. We may create new policies or make changes to existing policies as needed, with the exception of at-will employment and arbitration policies. Employee suggestions to improve customer relations and our work environment are welcomed and should be presented to your immediate manager or the People Empowerment Department.

This Employee Handbook is intended to explain the terms and conditions of employment for U.S. employees and managers. This Handbook summarizes the policies and practices in effect at the time of publication. Including, the Company vision, our values, how we work together, how we bring new hires onboard, how we respect employee's need for time off, our benefits, employee conduct, and other key details regarding your employment. Your manager will be happy to answer any questions you may have, please also refer to the table of contents to navigate the details.

Our company encourages all employees to contact their manager, director, VP or even the CEO if they have any questions or problems concerning their employment. If you don't feel your questions or problems have been satisfactorily resolved, please feel free to contact your People Empowerment Department or any senior management personnel. Together we are building a company that is changing the world for the better.

Lyndon Rive, Founder and CEO

Peter Rive, Founder and CTO

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## **1.0 - SolarCity's Vision for Better Energy**

We make clean energy available to homeowners, businesses, schools, non-profits and government organizations at a lower cost than they pay for energy generated by burning fossil fuels like coal, oil and natural gas.

Our approach is to install systems to the highest engineering standards while making the switch simple for our customers. We've revolutionized the way energy is delivered by giving customers a cleaner, more affordable alternative to their monthly utility bill. We call this Better Energy.

Internally, we strive to revolutionize the tools and processes that our employees use to deliver Better Energy to customers. Tools like Zipline, Launchpad, Amp-It, SolarWorks etc. all help us to work together and provide transparency for effectively managing our business.

## **2.0 - SolarCity's Values**

As we grow as a public company, our core values continue to help us develop our culture, our brand, and our business strategies. We have eight (8) core values that we live by in addition to other values that are part of our culture. Our eight core values are:

- **We Are Teammates**
  - We can only accomplish our goals by working as a team
  - We like what we do and who we work with
  - All employees are owners of the Company
  - SolarCity communicates openly and shares information transparently
  - We all contribute
- **We Are Innovators Who Welcome Change**
  - We set ambitious goals and deliver through incremental actions
  - We are trailblazers who don't settle for the status quo
  - We adapt quickly to new challenges
  - We give each other freedom to try new ideas
- **We Strive to Lower Costs**
  - The most successful clean energy company will have the lowest costs
  - We all take personal responsibility for financial results
  - We are not wasteful
  - We make clean energy more affordable
- **We Are Anchored in Safety**
  - Safety starts with me
  - We keep each other safe
  - We keep our customers safe
  - We only do what we are trained to do

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- **We Provide Quality Workmanship**
  - We start with the best people and materials, and then invest in training and processes to deliver outstanding installations
  - SolarCity stands behind the quality of our work
  - We continuously improve
  - We are proud of our work
- **We Act With Integrity & Honesty**
  - We do the right thing
  - We speak candidly to each other
  - We admit, fix and learn from our mistakes
  - We guarantee our performance
- **We Change the World For the Better**
  - Making the world a better place is our business
  - Every customer we serve and every day we work, we demonstrate our passion for the planet
  - We educate and empower communities about clean energy
  - We proudly represent the industry in shaping policy and best practices
  - We're in this for the long haul
- **We Strive to Exceed Customer Expectations**
  - SolarCity works to provide the best customer experience that each one of our customers has ever had
  - We care for customers and their property as we would our friends, family and ourselves
  - We are prompt
  - Our customers wholeheartedly refer their friends and family to us because we earn their trust



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### **3.0 - Employment Policies**

#### **3.1 - Right to Revise**

This Employee Handbook contains the employment policies and practices of SolarCity (“SolarCity” or the “Company”) in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

SolarCity is a national employer and complies with applicable law in each jurisdiction in which it operates. This employee handbook provides an overview of SolarCity’s policies, practices and benefits nationwide. However, as noted within this Handbook, there are some policies, practices and benefits that are unique to certain states. Employees will always receive the most generous benefits to which they are entitled under applicable law. Additional information regarding state-specific policies can be located in the appendix to this Handbook or by contacting People Empowerment.

SolarCity reserves the right at any time to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this Handbook or in any other document, except for the policy of at-will employment and the arbitration policy. However, any such changes must be in writing and must be signed by the CEO. Any written changes to this Handbook will be available to you so that you will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this Handbook.

This Handbook, along with your offer letter and At-Will Employment, Confidential Information, Invention Assignment, and Arbitration Agreement, sets forth the entire agreement between you and SolarCity as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this Employee Handbook or in any other personnel document, including benefit plan descriptions, creates, or is intended to create, a promise or representation of continued employment for any employee.

Although this Handbook is not a contract and is not intended to create any express or implied contractual obligations, you are required to read, understand and follow the provisions of this Handbook.

#### **3.2 - At-Will Employment Status**

SolarCity’s policy is that employment is “at-will.” Employment at SolarCity may be terminated for any reason, with or without cause or with or without notice, at any time by you or SolarCity. Nothing in this Handbook or in any oral or written statement shall limit the right to terminate employment at-will. No one other than the CEO of the Company, with approval from the Board of Directors, shall have any authority to enter into any employment agreement with any employee providing for employment other than at-will. This policy of at-will employment is the sole and entire agreement between you and SolarCity as to the duration of employment and the circumstances under which employment may be terminated.

With the exception of employment at-will and the arbitration policy, terms and conditions of employment with SolarCity may be modified at the sole discretion of the Company. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy or practice. Examples of the types of terms and conditions of employment that are within the sole discretion of SolarCity include, but are not limited to, the following: promotion; demotion; transfers; hiring decisions; compensation; benefits; qualifications; discipline or discharge; layoff or recall; rules; hours and schedules; work assignments; job duties and responsibilities; production

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standards; subcontracting; reduction or expansion of operations; sale, relocation, merger or consolidation of operations; determinations concerning the use of equipment, methods or facilities or any other terms and conditions that SolarCity may determine to be necessary for the safe, efficient and economic operation of its business.

### **3.3 - Equal Employment Opportunity/Affirmative Action**

SolarCity is an Equal Employment Opportunity (EEO) employer. SolarCity makes employment decisions on the basis of merit in order to ensure the full utilization of people of all backgrounds who possess the best available skills in every job. SolarCity policy prohibits discrimination based on race, color, creed, sex or gender (which includes pregnancy, childbirth or related medical condition and breastfeeding), religion, marital status, registered domestic partner or civil union status, age, national origin or ancestry, citizenship, political activity or affiliation, physical or mental disability, medical condition (including HIV/AIDS status), genetic characteristics and information, sexual orientation, gender identity, gender expression, amnesty, status as a covered veteran, taking or requesting statutorily protected leave or any other consideration made unlawful by federal, state, or local laws.<sup>1</sup> SolarCity's policy also prohibits discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination violates our policy. The Company complies with any applicable affirmative action rules, regulations, and guidelines, as required by law. This policy applies to all terms and conditions of employment including but not limited to recruitment, selection, assignment, promotion, termination, reduction in force, transfers, benefits, leaves of absence, compensation, social and recreational programs, training, and education.

SolarCity is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Company operations and prohibits unlawful discrimination by any employee of SolarCity, including managers and coworkers, as well as third parties such as vendors and customers. All employees are encouraged to assist SolarCity's affirmative efforts in support of its EEO/AA policy, including the recruitment and referral of qualified individuals for employment. All members of management must be familiar with this policy and must fully support and

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<sup>1</sup>In addition to the categories already specified and in accordance with state or local law, SolarCity prohibits discrimination based upon the following categories in the following locations: (i) Tucson, Arizona: familial status; (ii) San Francisco, California: weight and height; (iii) Colorado: marriage to a coworker, and membership in the military forces of the state; (iv) Connecticut: learning and intellectual disabilities, military status, and status as a victim of family violence; (v) Hawaii: arrest and court records, or domestic or sexual violence victim status, and credit report or history (unless such information directly relates to a bona fide job requirement); (vi) Massachusetts: military status; (vi) New Jersey: atypical hereditary cellular or blood trait, refusal to submit to a genetic test or make available the results of a genetic test, liability for service in the U.S. Armed Forces and pregnancy-related conditions; (viii) New York: genetic predisposition or carrier status, military status, domestic violence victim status and pregnancy-related conditions; (ix) Oregon: family status, employment of relatives and friends, expunged juvenile records, lawful tobacco use during non-working hours, on-the-job injuries and use of the workers compensation system, having made or inquired about a wage claim, child support obligations, and status as a victim of sexual abuse (including domestic abuse, sexual assault or stalking); (x) Pennsylvania: use of a guide or support animal due to blindness, deafness or physical disability, holding a general education development certificate rather than a high school diploma, and membership or service in the National Guard or U.S. reserves or being called to special or active state duty by the governor or federal government; (xi) Texas: refusal to submit to a genetic test; and (xii) Washington, D.C.: personal appearance, familial status, family responsibilities, and matriculation (including family medical history). (xiii) South Carolina: tobacco use outside the workplace.

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comply with it. Management is responsible for applying these principles in good faith and their performance under these policies is reviewed.

To comply with applicable laws ensuring equal employment opportunities for all applicants and employees, SolarCity will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability and for individual religious beliefs or practices.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your manager or the Senior Vice President of People Empowerment. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the human resource department (People Empowerment). SolarCity will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If SolarCity determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. SolarCity will not retaliate against you for filing a complaint in good faith and prohibits retaliation by management employees, your coworkers, vendors, customers or other third parties.

### **3.4 - Non-Harassment**

SolarCity is committed to providing a work environment free of harassment and abusive conduct. Company policy prohibits harassment based on race, color, creed, sex or gender (which include pregnancy, childbirth or related medical condition), religion, marital status, registered domestic partner status, age, national origin or ancestry, citizenship, political activity or affiliation, physical or mental disability, medical condition including genetic characteristics, sexual orientation, gender identity, gender expression, amnesty, status as a covered veteran, taking or requesting statutorily protected leave or any other basis protected by federal, state or local law or ordinance or regulation. **All such harassment is prohibited.** The Company's anti-harassment policy applies to all persons involved in the operation of the Company and prohibits unlawful harassment by any employee of the Company, including managers, as well as vendors, customers, and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes "sexual harassment" when either explicitly or implicitly:

- Submission to conduct is made as a term or condition of employment (including hiring, compensation, promotion or retention);
- Submission to or rejection of such conduct is used as a basis for decisions concerning that individual's employment or engagement;
- It unreasonably interferes with an employee's job performance; or
- Creates an intimidating, hostile or offensive work environment.



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Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors; and
- Retaliation for reporting or threatening to report harassment.
- Conduct in the workplace, with or without malice that a reasonable person would find hostile, offensive, and unrelated to the Company's legitimate business interests. Such conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

If you believe that you have been harassed, submit a written or verbal complaint to your own or any other Company manager, the CEO or any member of the People Empowerment department, including the Senior Vice President of People Empowerment at 650-963-5100 or 3055 Clearview Way, San Mateo, CA 94402, as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved, and names of any witnesses. Managers will refer all harassment complaints to People Empowerment. The Company will immediately undertake an effective, thorough and objective investigation of the harassment allegations. If the Company determines that a violation of this policy has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Company to be responsible for a violation of this policy will be subject to appropriate disciplinary action, up to, and including termination. A Company representative will advise all parties concerned of the results of the investigation. It is unlawful to retaliate against you for filing a complaint in good faith or cooperating in the investigation of a complaint, and the Company will not do so and will not tolerate or permit retaliation by management, employees, co-workers, customers, vendors or other third parties.

The Company encourages all employees to report any incidents of harassment forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved by the Company. However, in addition to the Company's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC), and if applicable, the California Department of Fair Employment and Housing (DFEH), the Massachusetts Commission Against Discrimination (MCAD), the Hawai'i Civil Rights Commission, and other state agencies investigate and prosecute complaints of harassment, discrimination, and retaliation in employment. Information about the EEOC complaint procedure can be found on their website ([www.eeoc.gov](http://www.eeoc.gov)). Employees may also contact the EEOC at: 1-800-669-4000 (English) and 1-800-669-6820 (TTY). Information about the California DFEH can be found on their website ([www.dfeh.ca.gov](http://www.dfeh.ca.gov)). Employees may also contact the DFEH at the following numbers if you are calling within California: 1-800-884-1684 (English) and 1-800-700-2320 (TTY). Information about the Massachusetts Commission Against Discrimination may be found on their website